



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

H8127	2
H8128	3
H8129	4
H8130	5
H8131	6
H8132	7
H8133	8
H8134	9
H8135	12
H8136	13
H8137	14
S5049	15
S5050	16
S5051	18
S5052	20
S5053	25
S5054	27
S5055	28
S5056	29
S5057	46
S5058	58
SF2316	59
SR115	80
SSB3192	82



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2319

H-8127

- 1 Amend the amendment, H-8120, to House File 2319 as
2 follows:
3 1. Page 1, lines 25 and 26, by striking <to fill a
4 vacancy in another elective city office>

GASKILL of Wapello



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 364

H-8128

- 1 Amend Senate File 364, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, after line 35 by inserting:
4 <Sec. _____. Section 148B.2, subsection 2, Code 2011,
5 is amended to read as follows:
6 2. "*Occupational therapy*" means the therapeutic
7 application of specific tasks used for the purpose of
8 evaluation and treatment of problems interfering with
9 functional performance in persons impaired by physical
10 illness or injury, emotional disorder, congenital or
11 developmental disability, or the aging process in order
12 to achieve optimum function, for maintenance of health
13 and prevention of disability. "*Occupational therapy*"
14 includes but is not limited to providing assessment,
15 design, fabrication, application, and fitting of
16 selected orthotic devices and training in the use of
17 prosthetic devices.>
18 2. Page 7, line 2, after <caregivers.> by inserting
19 <Any changes to the nationally accepted standards by
20 the American board for certification in orthotics,
21 prosthetics and pedorthics which impact scope of
22 practice may be approved by the board along with the
23 adoption of rules as required in this section.>
24 3. Page 11, by striking lines 6 through 19.
25 4. Title page, line 2, after <pedorthists>
26 by inserting <, providing exceptions for persons
27 practicing within the scope of their professions,>
28 5. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
COWNIE of Polk, Chairperson

SF364.4759 (1) 84

-1-

jr/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2283

H-8129

- 1 Amend Senate File 2283, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by striking lines 8 through 29.
- 4 2. By striking page 5, line 22, through page 6,
- 5 line 5.
- 6 3. By renumbering as necessary.

HAGER of Allamakee



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2322

H-8130

1 Amend the amendment, H-8114, to House File 2322 as
2 follows:
3 1. Page 1, after line 1 by inserting:
4 <____. Page 2, line 26, after <shall> by inserting
5 <notify the legislative council which shall, upon the
6 request of the state commissioner,>>
7 2. Page 1, line 9, after <shall> by inserting
8 <notify the legislative council which shall, upon the
9 request of the state commissioner,>

BALTIMORE of Boone



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2371

H-8131

- 1 Amend House File 2371 as follows:
2 1. Page 6, after line 17 by inserting:
3 <Sec. _____. Section 91A.5A, subsection 1, Code 2011,
4 is amended to read as follows:
5 1. An employer shall provide each employee who is
6 a veteran, as defined in section 35.1, with holiday
7 time off for Veterans Day, November 11, if the employee
8 would otherwise be required to work on that day, as
9 provided in this section. If Veterans Day falls on a
10 Saturday, an employer shall provide the employee with
11 holiday time off for the preceding Friday. If Veterans
12 Day falls on a Sunday, an employer shall provide
13 the employee with holiday time off for the following
14 Monday. However, if the employee is otherwise required
15 to work on such a Saturday or Sunday, an employer shall
16 only be required to provide the employee with holiday
17 time off for Veterans Day, November 11.>
18 2. Title page, line 1, after <affairs> by inserting
19 <and employer requirements for the observance of
20 Veterans Day>
21 3. By renumbering as necessary.

KEARNS of Lee

HF2371.4805 (2) 84

-1-

aw/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2435

H-8132

- 1 Amend House File 2435 as follows:
2 1. Page 9, line 30, by striking <3,788,859> and
3 inserting <3,848,859>
4 2. Page 11, line 22, by striking <124,050> and
5 inserting <184,050>

ABDUL-SAMAD of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2221

H-8133

1 Amend Senate File 2221, as passed by the Senate, as
2 follows:
3 1. Page 1, line 17, after <the> by inserting
4 <information in the Iowa court information system
5 available to the general public, the>

COMMITTEE ON EDUCATION

FORRISTALL of Pottawattamie, Chairperson



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2283

H-8134

1 Amend Senate File 2283, as passed by the Senate, as
2 follows:
3 1. Page 6, after line 7 by inserting:
4 <Sec. _____. Section 484B.1, Code 2011, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 3A. "Elk" means an animal
7 belonging to the cervidae family and classified as part
8 of the canadensis species of the cervus genus.
9 Sec. _____. NEW SECTION. **484B.4A Minimum enclosed**
10 **acreage — exceptions.**
11 1. A hunting preserve on which elk are kept must
12 include at least three hundred twenty contiguous acres
13 which are enclosed by a fence as required pursuant to
14 section 484B.5. However, a person may keep elk only
15 on a hunting preserve that includes a fewer number of
16 enclosed acres if either of the following applies:
17 a. The commission grants a waiver for the hunting
18 preserve according to terms and conditions required by
19 the commission. The hunting preserve must include at
20 least one hundred sixty contiguous acres.
21 b. (1) The hunting preserve was operated as a
22 business on January 1, 2005.
23 (2) If the hunting preserve operated as a business
24 on January 1, 2005, the landowner or the landowner's
25 successor in interest may sell or otherwise transfer
26 ownership of the hunting preserve to another person
27 who may continue to operate the hunting preserve
28 in the same manner as the landowner. However, this
29 subparagraph shall not apply if the owner of the
30 hunting preserve or any successor in interest fails to
31 meet the licensing requirements of section 484B.4 each
32 year.
33 Sec. _____. Section 484C.1, Code 2011, is amended by
34 adding the following new subsection:
35 NEW SUBSECTION. 3A. "Elk" means an animal
36 belonging to the cervidae family and classified as part
37 of the canadensis species of the cervus genus.
38 Sec. _____. Section 484C.5, Code 2011, is amended to
39 read as follows:
40 **484C.5 Minimum enclosed acreage — exceptions.**
41 1. A hunting preserve must include at least three
42 hundred twenty contiguous acres which are enclosed by a
43 fence certified pursuant to section 484C.6. However,
44 the hunting preserve may include a fewer number of
45 enclosed acres if any of the following applies:
46 1- a. The commission grants a waiver for the
47 hunting preserve according to terms and conditions
48 required by the commission. The hunting preserve must
49 include at least one hundred sixty contiguous acres.
50 2- ~~a.~~ b. (1) The hunting preserve was operated

SF2283.4726 (1) 84

-1-

av/nh

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 as a business on January 1, 2005.
2 ~~b.~~ (2) If the hunting preserve operated as a
3 business on January 1, 2005, the landowner or the
4 landowner's successor in interest may sell or otherwise
5 transfer ownership of the hunting preserve to another
6 person who may continue to operate the hunting preserve
7 in the same manner as the landowner. However, this
8 ~~paragraph~~ subparagraph shall not apply if the owner of
9 the hunting preserve or any successor in interest fails
10 to register with the department as provided in section
11 484C.7 for three or more consecutive years.
12 ~~3. a. c.~~ (1) The hunting preserve was not
13 operated as a business on January 1, 2005, and all of
14 the following apply:
15 (1) (a) The hunting preserve has at least one
16 hundred contiguous acres.
17 (2) (b) The hunting preserve's fence is certified
18 by the department not later than September 1, 2005.
19 ~~b.~~ (2) If the hunting preserve complies with
20 ~~paragraph "a"~~ subparagraph (1), the landowner or the
21 landowner's successor in interest may sell or otherwise
22 transfer ownership of the hunting preserve to another
23 person who may continue to operate the hunting preserve
24 in the same manner as the landowner. However, this
25 ~~paragraph~~ subparagraph shall not apply if the owner of
26 the hunting preserve or any successor in interest fails
27 to register with the department as provided in section
28 484C.7 for three or more consecutive years.
29 2. Notwithstanding any other provision of this
30 chapter or chapter 484B, a person may keep whitetail
31 and elk together on a hunting preserve that includes
32 less than three hundred twenty enclosed acres if the
33 person receives a waiver as provided in subsection 1,
34 ~~paragraph "a"~~ or meets the conditions specified in
35 subsection 1, paragraph "b".>
36 2. Page 6, after line 13 by inserting:
37 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
38 provision or provisions of this Act, being deemed of
39 immediate importance, take effect upon enactment:
40 1. The sections of this Act amending sections
41 484B.1, 484C.1, and 484C.5.
42 2. The section of this Act enacting section
43 484B.4A.>
44 3. Title page, line 3, by striking <and>
45 4. Title page, line 4, after <applicable> by
46 inserting <, and including effective date provisions>
47 5. By renumbering as necessary.

SF2283.4726 (1) 84

-2-

av/nh

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

J. SMITH of Dickinson



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2329

H-8135

1 Amend House File 2329 as follows:
2 1. Page 2, line 21, by striking <when> and
3 inserting <under>
4 2. Page 2, line 24, after <service> by inserting
5 <or who are serving in the armed forces of the United
6 States on active federal service and have been disabled
7 during military service>
8 3. Page 2, line 24, by striking <veteran> and
9 inserting <person>
10 4. Page 2, line 27, by striking <veterans> and
11 inserting <persons>
12 5. Page 2, line 33, after <veterans> by inserting
13 <and members of the armed forces serving on active
14 federal service who have been disabled during military
15 service>
16 6. Page 3, line 1, by striking <veterans> and
17 inserting <persons>
18 7. Page 3, by striking lines 7 through 9 and
19 inserting <ch. 11 with a degree of disability of thirty
20 percent or more.>
21 8. Page 3, line 18, by striking <veteran> and
22 inserting <person>
23 9. Page 3, line 23, by striking <veteran> and
24 inserting <person>
25 10. Page 3, after line 27 by inserting:
26 <0d. A special hunting license shall be available
27 for issuance under this subsection to a disabled
28 veteran or disabled member of the armed forces serving
29 on active federal service for the same fee that is
30 charged to a resident hunter to enable such a disabled
31 person to participate in a hunt conducted by an
32 organization approved under this subsection for which
33 only a hunting license is required.>
34 11. Page 3, line 28, by striking <veteran> and
35 inserting <person>
36 12. Title page, line 2, after <veterans> by
37 inserting <and disabled members of the armed forces
38 serving on active federal service>

VANDER LINDEN of Mahaska

HF2329.4827 (1) 84

-1-

av/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2435

H-8136

1 Amend House File 2435 as follows:

2 1. Page 60, by striking lines 19 through 24 and
3 inserting <first \$975,919 shall be used for the costs
4 of replacing a boiler at the Iowa veterans home. The
5 next \$500,000 shall remain available to be used for
6 the purposes of the Iowa veterans home. Any remaining
7 balance shall revert to the general fund of the state.>

M. SMITH of Marshall



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2367

H-8137

- 1 Amend House File 2367 as follows:
- 2 1. Page 1, line 9, after <who> by inserting
- 3 <knowingly and intentionally>
- 4 2. Page 1, by striking line 14 and inserting <by a
- 5 dangerous condition on the land if all>
- 6 3. Page 1, line 18, by striking <artificial> and
- 7 inserting <dangerous>
- 8 4. Page 1, line 19, by striking <artificial> and
- 9 inserting <dangerous>
- 10 5. Page 1, line 22, by striking <serious>
- 11 6. Page 1, line 23, by striking <harm> and
- 12 inserting <injury>
- 13 7. Page 1, line 24, by striking <artificial> and
- 14 inserting <dangerous>
- 15 8. Page 1, by striking lines 27 through 30.
- 16 9. Page 2, by striking line 2 and inserting <risk
- 17 of dangerous conditions on land, but>
- 18 10. By renumbering as necessary.

WOLFE of Clinton



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2293

S-5049

- 1 Amend Senate File 2293 as follows:
- 2 1. By striking page 11, line 15, through page 14,
- 3 line 29.
- 4 2. By striking page 20, line 34, through page 21,
- 5 line 9.
- 6 3. Page 21, line 15, by striking <sections> and
- 7 inserting <section>
- 8 4. By renumbering as necessary.

RANDY FEENSTRA



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2250

S-5050

1 Amend Senate File 2250 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 231.32, subsections 1 and 2,
5 Code 2011, are amended to read as follows:

6 1. The commission shall designate ~~thirteen area~~
7 ~~agencies on aging, the same of which existed on July~~
8 ~~1, 1985~~ an area agency on aging for each planning
9 and service area. The commission shall continue the
10 designation until an area agency on aging's designation
11 is removed for cause as determined by the commission
12 ~~or~~, until the agency voluntarily withdraws as an area
13 agency on aging, or until a change in the designation
14 of planning and service areas or area agencies on
15 aging is required by state or federal law. In that
16 event, the commission shall proceed in accordance with
17 subsections 2, 3, and 4. Designated area agencies on
18 aging shall comply with the requirements of the federal
19 Act.

20 2. The commission shall designate an area agency
21 to serve each planning and service area, after
22 consideration of the views offered by units of general
23 purpose local government. An area agency may be:

24 a. An established office of aging which is
25 operating within a planning and service area designated
26 by the commission.

27 b. Any office or agency of a unit of general
28 purpose local government, which is designated to
29 function only for the purpose of serving as an area
30 agency on aging by the chief elected official of such
31 unit.

32 c. Any office or agency designated by the
33 appropriate chief elected officials of any combination
34 of units of general purpose local government to
35 act only on behalf of the such combination for such
36 purpose.

37 d. Any public or nonprofit private agency
38 in a planning and service area or any separate
39 organizational unit within such agency which is under
40 the supervision or direction for this purpose of the
41 department on aging and which can and will engage
42 only in the planning or provision of a broad range of
43 supportive services or nutrition services within the
44 planning and service area.

45 Sec. 2. REVOKING OF DESIGNATION AND DESIGNATION OF
46 AREA AGENCIES ON AGING.

47 Based upon the plan for reduction in the number
48 of area agencies on aging submitted pursuant to 2011
49 Iowa Acts, chapter 122, section 20, and pursuant to
50 procedures established by the department on aging in

SF2250.4786 (2) 84

-1-

pf/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 accordance with the federal Older Americans Act, the
2 commission on aging shall revoke the designation of the
3 existing area agencies on aging and designate a new
4 area agency on aging to represent each planning and
5 service area effective no later than July 1, 2013.
6 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
7 deemed of immediate importance, takes effect upon
8 enactment.
9 2. Title page, lines 1 and 2, by striking <planning
10 and service delivery under the purview of the
11 department on aging including>

JOE BOLKCOM



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 563

S-5051

1 Amend House File 563, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 1 through 30 and
4 inserting:

5 <Section 1. Section 13.7, Code Supplement 2011, is
6 amended to read as follows:

7 **13.7 Special counsel.**

8 1. Compensation shall not be allowed to any
9 person for services as an attorney or counselor to an
10 executive department of the state government, or the
11 head of an executive department of state government, or
12 to a state board or commission. However, the executive
13 council may authorize employment of legal assistance,
14 at a reasonable compensation, in a pending action or
15 proceeding to protect the interests of the state, but
16 only upon a sufficient showing, in writing, made by the
17 attorney general, that the department of justice cannot
18 for reasons stated by the attorney general perform the
19 service. The reasons and action of the council shall
20 be entered upon its records. If the attorney general
21 determines that the department of justice cannot
22 perform legal service in an action or proceeding, the
23 executive council shall request the department involved
24 in the action or proceeding to recommend legal counsel
25 to represent the department. If the attorney general
26 concurs with the department that the person recommended
27 is qualified and suitable to represent the department,
28 the person recommended shall be employed. If the
29 attorney general does not concur in the recommendation,
30 the department shall submit a new recommendation. This
31 section subsection does not affect the general counsel
32 for the utilities board of the department of commerce,
33 the legal counsel of the department of workforce
34 development, or the general counsel for the property
35 assessment appeal board.

36 2. The executive branch and the attorney general
37 shall also comply with chapter 23B when retaining legal
38 counsel on a contingency fee basis under this section,
39 as appropriate.

40 2. Page 2, by striking lines 32 and 33 and
41 inserting <basis, unless the attorney general
42 determines that the procurement process is not feasible
43 under the circumstances and sets>

44 3. Page 2, by striking line 35 and inserting:

45 <3. a. Except as provided in paragraph "c", the
46 state shall not enter into a contingency fee>

47 4. Page 3, line 5, after <dollars> by inserting <,
48 exclusive of reasonable costs and expenses>

49 5. Page 3, line 8, after <dollars> by inserting <,
50 exclusive of reasonable costs and expenses>

HF563.4724 (3) 84

-1-

rh/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

- 1 6. Page 3, line 11, after <dollars> by inserting <
2 exclusive of reasonable costs and expenses>
3 7. Page 3, line 14, after <dollars> by inserting <
4 exclusive of reasonable costs and expenses>
5 8. Page 3, line 16, after <dollars> by inserting <
6 exclusive of reasonable costs and expenses>
7 9. Page 3, by striking lines 23 and 24 and
8 inserting <executive council of the aggregate
9 contingency fee limits in paragraphs "a" and "b" if the
10 attorney general provides a thirty-day>
11 10. Page 4, line 11, by striking <attend> and
12 inserting <participate in>
13 11. By striking page 4, line 33, through page
14 5, line 3, and inserting <copying upon request in
15 accordance with chapter 22.>
16 12. By renumbering as necessary.

COMMITTEE ON JUDICIARY
EUGENE S. FRAISE, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 609

S-5052

1 Amend House File 609, as passed by the House, as
2 follows:

3 1. Page 1, line 1, after <Code> by inserting
4 <Supplement>

5 2. Page 2, after line 22 by inserting:

6 <Sec. _____. Section 633.350, Code 2011, is amended
7 to read as follows:

8 **633.350 Title to decedent's estate — when property**
9 **passes — possession and control thereof — liability**
10 **for administration expenses, debts, and family**
11 **allowance.**

12 Except as otherwise provided in this probate code,
13 when a person dies, the title to the person's property,
14 real and personal, passes to the person to whom it is
15 devised by the person's last will, or, in the absence
16 of such disposition, to the persons who succeed to the
17 estate as provided in this probate code, but all of
18 the property shall be subject to the possession of the
19 personal representative as provided in section 633.351
20 and to the control of the court for the purposes of
21 administration, sale, or other disposition under the
22 provisions of law, and such property, except homestead
23 and other exempt property, shall be chargeable with the
24 payment of debts and charges against of the estate.
25 There shall be no priority as between real and personal
26 property, except as provided in this probate code or by
27 the will of the decedent. If real property is titled
28 at any time in a decedent's estate, such property
29 shall be treated as titled in the name of the personal
30 representative of the estate.

31 Sec. _____. Section 633.351, Code 2011, is amended to
32 read as follows:

33 **633.351 Possession of real and personal property.**

34 ~~If there is no distributee of the real estate~~
35 ~~present and competent to take possession, or if there~~
36 ~~is a lease of such real estate outstanding, or if the~~
37 ~~distributees present and competent consent thereto~~
38 During the period of administration, the personal
39 representative shall take possession of such the
40 decedent's real estate, except the homestead and
41 other property exempt to the surviving spouse. Every
42 personal representative shall take possession of
43 all the personal property of the decedent, except
44 the property exempt to the surviving spouse. The
45 personal representative may maintain an action for
46 the possession of such real and personal property
47 or to determine the title to any property of the
48 decedent. Until property is distributed, the
49 personal representative shall take reasonable steps
50 to safeguard such property, pay any expenses related

HF609.4493 (3) 84

-1-

rh/rj

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 to such property, and collect any income generated
2 by such property. Unless otherwise provided by the
3 decedent's will, all such expenses shall be paid from
4 the residuary estate and all such income shall be
5 considered a part of the residuary estate.
6 Sec. _____. Section 633.352, Code 2011, is amended to
7 read as follows:
8 **633.352 Collection of rents and payment of taxes and**
9 **charges.**
10 Unless otherwise provided by the will, the personal
11 ~~representative shall allocate and distribute provisions~~
12 ~~of chapter 637 that conflict with this part 3 shall~~
13 ~~not apply to the allocation and distribution of estate~~
14 ~~income of an estate in accordance with chapter 637.~~
15 Sec. _____. Section 633.355, Code 2011, is amended to
16 read as follows:
17 **633.355 Delivery of specific devise after nine**
18 **twelve months.**
19 Unless the court, for cause shown, determines
20 that the possession of the personal representative
21 shall continue for a longer period, the personal
22 representative shall deliver all specifically devised
23 property to the devisees entitled thereto after the
24 expiration of ~~nine~~ twelve months from the date of
25 appointment of the personal representative. This
26 section shall not preclude the court from directing
27 that such delivery be made before such period has
28 expired, nor shall the personal representative
29 be prevented from ~~sooner settling the estate and~~
30 ~~delivering such property at an earlier time.~~>
31 3. Page 7, after line 1 by inserting:
32 <Sec. _____. Section 633A.3102, subsection 5, Code
33 2011, is amended to read as follows:
34 5. The settlor's powers with respect to revocation
35 or modification may be exercised by an agent under a
36 power of attorney only ~~and to the extent the power~~
37 ~~of attorney expressly so authorizes. if all of the~~
38 ~~following apply:~~
39 a. The trust instrument expressly authorizes an
40 agent under a power of attorney to exercise such
41 powers.
42 b. The power of attorney expressly authorizes an
43 agent acting under the power of attorney to exercise
44 such powers.>
45 4. Page 12, line 24, after <Code> by inserting
46 <Supplement>
47 5. Page 18, after line 18 by inserting:
48 <Sec. _____. Section 635.7, Code 2011, is amended to
49 read as follows:
50 **635.7 Report and inventory — value and conversion.**

HF609.4493 (3) 84

-2-

rh/rj

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 1. The personal representative is required to file
2 the report and inventory for which provision is made in
3 section 633.361, including all probate and nonprobate
4 assets. This chapter does not exempt the personal
5 representative from complying with the requirements of
6 section 422.27, 450.22, 450.58, 633.480, or 633.481,
7 and the administration of an estate whether converted
8 to or from a small estate shall be considered one
9 proceeding pursuant to section 633.330.

10 2. ~~If the~~ The report and inventory and report shows
11 shall show the gross value of probate assets subject to
12 the jurisdiction of this state which exceed.

13 3. If the gross value of probate assets subject
14 to the jurisdiction of this state exceeds the amount
15 permitted for a small estate under section 635.1, the
16 estate shall be administered as provided in chapter
17 633.

18 ~~3.~~ 4. If the ~~inventory~~ report and inventory in
19 an estate probated pursuant to chapter 633 indicates
20 shows the gross value of the probate assets subject
21 to the jurisdiction of this state does not exceed the
22 amount permitted under section 635.1, the estate shall
23 be administered as a small estate upon the filing of
24 a statement by the personal representative that the
25 estate is a small estate.

26 ~~4.~~ 5. Other interested parties may convert
27 proceedings from a small estate to a regular estate or
28 from a regular estate to a small estate only upon good
29 cause shown with approval from the court.

30 Sec. _____. Section 635.8, Code 2011, is amended to
31 read as follows:

32 **635.8 Closing by sworn statement.**

33 1. The personal representative shall file with the
34 court a closing statement and proof of service thereof
35 within a reasonable time from the date of issuance
36 of the letters of appointment, ~~and the.~~ The closing
37 statement shall be verified or affirmed under penalty
38 of perjury, stating all of the following:

39 a. To the best knowledge of the personal
40 representative, the gross value of the probate assets
41 subject to the jurisdiction of this state does not
42 exceed the amount permitted under section 635.1.

43 b. The estate has been fully administered and will
44 be ~~disbursed~~ and distributed to persons entitled to the
45 estate thereto if no objection is filed to the closing
46 statement ~~after the requisite time period has expired~~
47 ~~as provided in subsection 2~~ and the accounting and
48 proposed distribution within thirty days after service
49 thereof.

50 c. ~~A description of the disbursement and An~~

HF609.4493 (3) 84

-3-

rh/rj

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 accounting and proposed distribution of the estate
2 including an accurate description of all the real
3 estate of which the decedent died seized, stating the
4 nature and extent of the interest in the real estate
5 and its disposition.
6 d. A copy of the closing statement and a notice
7 of an opportunity to object to and request a hearing
8 has been sent by proper notice, as provided in section
9 633.40, to all interested parties.
10 e. The personal representative has complied
11 with a statement as to whether or not all statutory
12 requirements pertaining to taxes have been complied
13 with, including whether federal estate tax was paid
14 or a return was filed, whether Iowa inheritance tax
15 was paid or a return was filed, whether the decedent's
16 final personal income taxes were filed, whether
17 fiduciary income tax returns for the estate were filed,
18 and due has been paid, whether a lien continues to
19 exist for any federal or state estate tax, and whether
20 inheritance tax was paid or a tax return was filed in
21 this state.
22 f. The amount of fees to be paid to the personal
23 representative and the personal representative's
24 attorney with the appropriate documentation showing
25 compliance with subsection 4.
26 2. If no actions or proceedings involving the
27 estate are pending in the court thirty days after
28 notice service of the closing statement is filed,
29 the the estate shall be distributed according to the
30 closing statement.
31 3. The estate shall close and the personal
32 representative shall be discharged after distribution
33 upon the earlier of either of the following:
34 a. The filing of a statement of disbursement of
35 assets with the clerk by the personal representative an
36 affidavit of mailing or other proof of service of the
37 closing statement and a statement of asset distribution
38 by the personal representative.
39 b. An additional thirty days have passed after
40 notice of the Sixty days after the filing of the
41 closing statement is filed and an affidavit of mailing
42 or other proof of service thereof.
43 3. 4. The closing statement shall include a
44 statement as to the amount of fees to be paid for
45 services rendered by the personal representative
46 and the personal representative's attorney in
47 administration of the estate. The fees for the
48 personal representative shall not exceed three percent
49 of the gross value of the probate assets of the
50 estate, unless the personal representative itemizes

HF609.4493 (3) 84

-4-

rh/rj

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 the personal representative's services to the estate.
2 The personal representative's attorney shall be paid
3 reasonable fees as approved by the court or as agreed
4 to in writing by the personal representative at or
5 before and such writing shall be executed by the
6 time of filing the probate inventory or as approved
7 by the court. All interested parties shall have the
8 opportunity to object and request a hearing as to all
9 fees reported in the closing statement.
10 4. 5. If a closing statement is not filed within
11 twelve months of the date of issuance of a letter of
12 appointment, an interlocutory report shall be filed
13 within such time period. Such report shall be provided
14 to all interested parties at least once every six
15 months until the closing statement has been filed
16 unless excused by the court for good cause shown.
17 The provisions of section 633.473 requiring final
18 settlement within three years shall apply to an estate
19 probated pursuant to this chapter. A closing statement
20 filed under this section has the same effect as final
21 settlement of the estate under chapter 633.>
22 6. Page 18, line 23, by striking <2011> and
23 inserting <2012>
24 7. Page 18, line 25, by striking <2011> and
25 inserting <2012>
26 8. Page 18, line 31, by striking <2011> and
27 inserting <2012>
28 9. Page 18, line 34, by striking <2011> and
29 inserting <2012>
30 10. Page 18, after line 34 by inserting:
31 <5. The section of this Act amending section
32 633A.3102 applies to revocable trusts and powers of
33 attorney in existence on or after July 1, 2012.>
34 11. Title page, by striking lines 1 and 2 and
35 inserting <An Act relating to trusts and estates
36 including the administration of small estates, and
37 certain state inheritance tax provisions, and including
38 applicability provisions.>
39 12. By renumbering as necessary.

COMMITTEE ON JUDICIARY
EUGENE S. FRAISE, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2245

S-5053

1 Amend House File 2245, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 257.8, subsection 1, Code
6 Supplement 2011, is amended to read as follows:
7 1. ~~State percent of growth. The state percent of~~
8 ~~growth for the budget year beginning July 1, 2010,~~
9 ~~is two percent.~~ The state percent of growth for the
10 budget year beginning July 1, 2012, is two percent.
11 The state percent of growth for the budget year
12 beginning July 1, 2013, is four percent. The state
13 percent of growth for each subsequent budget year shall
14 be established by statute which shall be enacted within
15 thirty days of the submission in the year preceding the
16 base year of the governor's budget under section 8.21.
17 The establishment of the state percent of growth for
18 a budget year shall be the only subject matter of the
19 bill which enacts the state percent of growth for a
20 budget year.
21 Sec. 2. Section 257.8, subsection 2, Code
22 Supplement 2011, is amended to read as follows:
23 2. ~~Categorical state percent of growth. The~~
24 ~~categorical state percent of growth for the budget~~
25 ~~year beginning July 1, 2010, is two percent.~~ The
26 categorical state percent of growth for the budget
27 year beginning July 1, 2012, is two percent. The
28 categorical state percent of growth for the budget
29 year beginning July 1, 2013, is four percent. The
30 categorical state percent of growth for each budget
31 year shall be established by statute which shall
32 be enacted within thirty days of the submission in
33 the year preceding the base year of the governor's
34 budget under section 8.21. The establishment of the
35 categorical state percent of growth for a budget year
36 shall be the only subject matter of the bill which
37 enacts the categorical state percent of growth for a
38 budget year. The categorical state percent of growth
39 may include state percents of growth for the teacher
40 salary supplement, the professional development
41 supplement, and the early intervention supplement.
42 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
43 deemed of immediate importance, takes effect upon
44 enactment.
45 Sec. 4. APPLICABILITY. This Act is applicable for
46 computing state aid under the state school foundation
47 program for the school budget year beginning July 1,
48 2013.
49 Sec. 5. CODE SECTION 257.8 — IMPLEMENTATION. The
50 requirements of section 257.8 regarding the enactment

HF2245.4494 (2) 84

-1-

md/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 of the regular program state percent of growth and
2 categorical state percent of growth within thirty days
3 of the submission in the year preceding the base year
4 of the governor's budget and the requirements that the
5 subject matter of each bill establishing the state
6 percent of growth or the categorical state percent of
7 growth be the only subject matter of the bill do not
8 apply to this Act.>
9 2. Title page, by striking lines 1 through 3 and
10 inserting <An Act establishing the state percent of
11 growth and the categorical state percent of growth for
12 the school foundation program and including effective
13 date and applicability provisions.>
14 3. By renumbering as necessary.

COMMITTEE ON EDUCATION
HERMAN C. QUIRMBACH, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2302

S-5054

- 1 Amend Senate File 2302 as follows:
2 1. Page 1, line 11, after <awarded.> by inserting
3 <This subsection does not apply to a request for bids
4 or proposals for products or other purchases associated
5 with road or bridge construction or repair.>
6 2. Page 1, line 12, after <12B.> by inserting <a.>
7 3. Page 1, line 17, by striking <a.> and inserting
8 <(1)>
9 4. Page 1, line 19, by striking <b.> and inserting
10 <(2)>
11 5. Page 1, line 24, by striking <c.> and inserting
12 <(3)>
13 6. Page 1, line 27, by striking <d.> and inserting
14 <(4)>
15 7. Page 1, after line 29 by inserting:
16 <b. This subsection does not apply to a request
17 for bids or proposals for products or other purchases
18 associated with road or bridge construction or repair.>

JACK WHITVER

SF2302.4808 (1) 84

-1-

je/rj

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2315

S-5055

- 1 Amend House File 2315, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 5 and 6 and inserting
4 <to Iowans. The moneys in the fund shall be used for
5 the purpose of providing funding to financing>
6 2. Page 1, line 13, by striking <appropriated to
7 the fund,>
8 3. Page 1, by striking line 16 and inserting <shall
9 be used by the authority as set forth>
10 4. Page 1, lines 18 and 19, by striking <and are
11 appropriated to>
12 5. Page 1, line 24, by striking <or appropriated to
13 the fund>

THOMAS G. COURTNEY



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2335

S-5056

1 Amend House File 2335, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. 2011 Iowa Acts, chapter 134, section
6 30, is amended to read as follows:

7 SEC. 30. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund
9 of the state to the department of justice for the
10 fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 a. For the general office of attorney general for
14 salaries, support, maintenance, and miscellaneous
15 purposes, including the prosecuting attorneys training
16 program, matching funds for federal violence against
17 women grant programs, victim assistance grants, office
18 of drug control policy prosecuting attorney program,
19 and odometer fraud enforcement, and for not more than
20 the following full-time equivalent positions:

21	\$	<u>3,896,465</u>
22		<u>7,792,930</u>
23	FTEs	<u>212.00</u>
24		<u>214.00</u>

25 It is the intent of the general assembly that as
26 a condition of receiving the appropriation provided
27 in this lettered paragraph, the department of justice
28 shall maintain a record of the estimated time incurred
29 representing each agency or department.

30 b. For victim assistance grants:

31	\$	<u>1,438,200</u>
32		<u>3,026,400</u>

33 The funds appropriated in this lettered paragraph
34 shall be used to provide grants to care providers
35 providing services to crime victims of domestic abuse
36 or to crime victims of rape and sexual assault.

37 The balance of the victim compensation fund
38 established in section 915.94 may be used to provide
39 salary and support of not more than 24 FTEs and
40 to provide maintenance for the victim compensation
41 functions of the department of justice.

42 The department of justice shall transfer at least
43 \$150,000 from the victim compensation fund established
44 in section 915.94 to the victim assistance grant
45 program.

46 c. For legal services for persons in poverty grants
47 as provided in section 13.34:

48	\$	<u>907,416</u>
49		<u>1,914,831</u>

50 2. a. The department of justice, in submitting

HF2335.4734 (3) 84

-1-

jm/jp

1/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 budget estimates for the fiscal year commencing July
2 1, 2013, pursuant to section 8.23, shall include a
3 report of funding from sources other than amounts
4 appropriated directly from the general fund of the
5 state to the department of justice or to the office of
6 consumer advocate. These funding sources shall include
7 but are not limited to reimbursements from other state
8 agencies, commissions, boards, or similar entities, and
9 reimbursements from special funds or internal accounts
10 within the department of justice. The department of
11 justice shall also report actual reimbursements for the
12 fiscal year commencing July 1, 2011, and actual and
13 expected reimbursements for the fiscal year commencing
14 July 1, 2012.

15 b. The department of justice shall include the
16 report required under paragraph "a", as well as
17 information regarding any revisions occurring as a
18 result of reimbursements actually received or expected
19 at a later date, in a report to the co-chairpersons
20 and ranking members of the joint appropriations
21 subcommittee on the justice system and the legislative
22 services agency. The department of justice shall
23 submit the report on or before January 15, 2013.

24 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is
25 amended to read as follows:

26 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is
27 appropriated from the department of commerce revolving
28 fund created in section 546.12 to the office of
29 consumer advocate of the department of justice for the
30 fiscal year beginning July 1, 2012, and ending June 30,
31 2013, the following amount, or so much thereof as is
32 necessary, to be used for the purposes designated:

33 For salaries, support, maintenance, miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

36	\$	1,568,082
37		3,136,163
38	FTEs	22.00

39 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is
40 amended to read as follows:

41 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

42 1. There is appropriated from the general fund of
43 the state to the department of corrections for the
44 fiscal year beginning July 1, 2012, and ending June
45 30, 2013, the following amounts, or so much thereof as
46 is necessary, to be used for the operation of adult
47 correctional institutions, reimbursement of counties
48 for certain confinement costs, and federal prison
49 reimbursement, to be allocated as follows:

50 a. For the operation of the Fort Madison

HF2335.4734 (3) 84

-2-

jm/jp

2/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 correctional facility, including salaries, support,
2 maintenance, and miscellaneous purposes:
3 \$ ~~20,515,641~~
4 42,686,899
5 As a condition of receiving an appropriation under
6 this lettered paragraph the department of corrections
7 shall submit, to the co-chairpersons and ranking
8 members of the joint appropriations subcommittee on
9 the justice system by January 15, 2013, the plans for
10 the integration of the John Bennett facility and the
11 clinical care unit into the new Fort Madison maximum
12 security correctional facility and the future plans for
13 the use of the current Fort Madison maximum security
14 correctional facility after the inmates are transferred
15 to the new facility.
16 b. For the operation of the Anamosa correctional
17 facility, including salaries, support, maintenance, and
18 miscellaneous purposes:
19 \$ ~~15,992,987~~
20 33,697,392
21 It is the intent of the general assembly that the
22 department of corrections fully operate the Luster
23 Heights facility at the facility's 88-bed capacity.
24 c. For the operation of the Oakdale correctional
25 facility, including salaries, support, maintenance, and
26 miscellaneous purposes:
27 \$ ~~27,797,213~~
28 57,950,613
29 d. For the operation of the Newton correctional
30 facility, including salaries, support, maintenance, and
31 miscellaneous purposes:
32 \$ ~~12,979,379~~
33 27,127,290
34 e. For the operation of the Mt. Pleasant
35 correctional facility, including salaries, support,
36 maintenance, and miscellaneous purposes:
37 \$ ~~12,958,908~~
38 26,751,707
39 f. For the operation of the Rockwell City
40 correctional facility, including salaries, support,
41 maintenance, and miscellaneous purposes:
42 \$ ~~4,658,233~~
43 9,758,146
44 g. For the operation of the Clarinda correctional
45 facility, including salaries, support, maintenance, and
46 miscellaneous purposes:
47 \$ ~~12,241,178~~
48 26,357,056
49 Moneys received by the department of corrections as
50 reimbursement for services provided to the Clarinda

HF2335.4734 (3) 84

-3-

jm/jp

3/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 youth corporation are appropriated to the department
2 and shall be used for the purpose of operating the
3 Clarinda correctional facility.
4 h. For the operation of the Mitchellville
5 correctional facility, including salaries, support,
6 maintenance, and miscellaneous purposes:
7 \$ 7,807,687
8 16,558,690
9 i. For the operation of the Fort Dodge correctional
10 facility, including salaries, support, maintenance, and
11 miscellaneous purposes:
12 \$ 14,531,118
13 30,062,193
14 j. For reimbursement of counties for temporary
15 confinement of work release and parole violators, as
16 provided in sections 901.7, 904.908, and 906.17, and
17 for offenders confined pursuant to section 904.513:
18 \$ 387,546
19 1,075,092
20 k. For federal prison reimbursement, reimbursements
21 for out-of-state placements, and miscellaneous
22 contracts:
23 \$ 119,706
24 484,411
25 ~~1. For three correctional officer full-time~~
26 ~~equivalent positions that are to be assigned to~~
27 ~~a correctional institution by the director of the~~
28 ~~department of corrections.~~
29 \$ 78,581
30 2. The department of corrections shall use moneys
31 appropriated in subsection 1 to continue to contract
32 for the services of a Muslim imam and a Native American
33 spiritual leader.
34 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is
35 amended to read as follows:
36 SEC. 33. DEPARTMENT OF CORRECTIONS —
37 ADMINISTRATION. There is appropriated from the general
38 fund of the state to the department of corrections for
39 the fiscal year beginning July 1, 2012, and ending June
40 30, 2013, the following amounts, or so much thereof as
41 is necessary, to be used for the purposes designated:
42 1. For general administration, including salaries,
43 support, maintenance, employment of an education
44 director to administer a centralized education
45 program for the correctional system, and miscellaneous
46 purposes:
47 \$ 2,417,771
48 5,181,582
49 0b. It is the intent of the general assembly
50 that as a condition of receiving the appropriation

HF2335.4734 (3) 84

-4-

jm/jp

4/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 provided in this lettered paragraph the department of
2 corrections shall not, except as otherwise provided
3 in paragraph "c", enter into a new contract, unless
4 the contract is a renewal of an existing contract,
5 for the expenditure of moneys in excess of \$100,000
6 during the fiscal year beginning July 1, 2012, for the
7 privatization of services performed by the department
8 using state employees as of July 1, 2012, or for the
9 privatization of new services by the department without
10 prior consultation with any applicable state employee
11 organization affected by the proposed new contract and
12 prior notification of the co-chairpersons and ranking
13 members of the joint appropriations subcommittee on the
14 justice system.

15 b. It is the intent of the general assembly
16 that each lease negotiated by the department of
17 corrections with a private corporation for the purpose
18 of providing private industry employment of inmates in
19 a correctional institution shall prohibit the private
20 corporation from utilizing inmate labor for partisan
21 political purposes for any person seeking election to
22 public office in this state and that a violation of
23 this requirement shall result in a termination of the
24 lease agreement.

25 c. It is the intent of the general assembly that as
26 a condition of receiving the appropriation provided in
27 this subsection the department of corrections shall not
28 enter into a lease or contractual agreement pursuant to
29 section 904.809 with a private corporation for the use
30 of building space for the purpose of providing inmate
31 employment without providing that the terms of the
32 lease or contract establish safeguards to restrict, to
33 the greatest extent feasible, access by inmates working
34 for the private corporation to personal identifying
35 information of citizens.

36 2. For educational programs for inmates at state
37 penal institutions:

38 \$ 1,154,055
39 2,558,109

40 b. It is the intent of the general assembly that
41 moneys appropriated in this subsection shall be used
42 solely for the purpose indicated and that the moneys
43 shall not be transferred for any other purpose. In
44 addition, it is the intent of the general assembly
45 that the department shall consult with the community
46 colleges in the areas in which the institutions
47 are located to utilize moneys appropriated in this
48 subsection to fund the high school completion, high
49 school equivalency diploma, adult literacy, and adult
50 basic education programs in a manner so as to maintain

HF2335.4734 (3) 84

-5-

jm/jp

5/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 these programs at the institutions.
2 c. To maximize the funding for educational
3 programs, the department shall establish guidelines
4 and procedures to prioritize the availability of
5 educational and vocational training for inmates based
6 upon the goal of facilitating an inmate's successful
7 release from the correctional institution.
8 d. The director of the department of corrections
9 may transfer moneys from Iowa prison industries and the
10 canteen operating funds established pursuant to section
11 904.310, for use in educational programs for inmates.
12 e. Notwithstanding section 8.33, moneys
13 appropriated in this subsection that remain unobligated
14 or unexpended at the close of the fiscal year shall not
15 revert but shall remain available to be used only for
16 the purposes designated in this subsection until the
17 close of the succeeding fiscal year.
18 3. For the development of the Iowa corrections
19 offender network (ICON) data system:
20 \$ 212,182
21 424,364
22 4. For offender mental health and substance abuse
23 treatment:
24 \$ 11,160
25 22,319
26 5. For viral hepatitis prevention and treatment:
27 \$ 83,941
28 167,881
29 6. It is the intent of the general assembly that
30 for the fiscal year addressed by this section the
31 department of corrections shall continue to operate the
32 correctional farms under the control of the department
33 at the same or greater level of participation and
34 involvement as existed as of January 1, 2011; shall not
35 enter into any rental agreement or contract concerning
36 any farmland under the control of the department that
37 is not subject to a rental agreement or contract as of
38 January 1, 2011, without prior legislative approval;
39 and shall further attempt to provide job opportunities
40 at the farms for inmates. The department shall attempt
41 to provide job opportunities at the farms for inmates
42 by encouraging labor-intensive farming or gardening
43 where appropriate; using inmates to grow produce
44 and meat for institutional consumption; researching
45 the possibility of instituting food canning and
46 cook-and-chill operations; and exploring opportunities
47 for organic farming and gardening, livestock ventures,
48 horticulture, and specialized crops.
49 ~~7. The department of corrections shall solicit~~
50 ~~requests for information to improve efficiencies at the~~

HF2335.4734 (3) 84

-6-

jm/jp

6/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 ~~pharmacy under the control of the department.~~
2 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is
3 amended to read as follows:
4 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF
5 CORRECTIONAL SERVICES.
6 1. There is appropriated from the general fund of
7 the state to the department of corrections for the
8 fiscal year beginning July 1, 2012, and ending June
9 30, 2013, for salaries, support, maintenance, and
10 miscellaneous purposes, the following amounts, or
11 so much thereof as is necessary, to be allocated as
12 follows:
13 a. For the first judicial district department of
14 correctional services:
15 \$ ~~6,102,474~~
16 14,301,004
17 b. For the second judicial district department of
18 correctional services:
19 \$ ~~5,168,474~~
20 11,001,278
21 c. For the third judicial district department of
22 correctional services:
23 \$ ~~2,799,883~~
24 7,245,713
25 d. For the fourth judicial district department of
26 correctional services:
27 \$ ~~2,695,678~~
28 5,520,807
29 e. For the fifth judicial district department of
30 correctional services, including funding for electronic
31 monitoring devices for use on a statewide basis:
32 \$ ~~9,371,065~~
33 19,530,766
34 f. For the sixth judicial district department of
35 correctional services:
36 \$ ~~6,556,282~~
37 14,095,408
38 g. For the seventh judicial district department of
39 correctional services:
40 \$ ~~3,246,407~~
41 7,673,973
42 h. For the eighth judicial district department of
43 correctional services:
44 \$ ~~3,439,858~~
45 7,914,828
46 2. Each judicial district department of
47 correctional services, within the funding available,
48 shall continue programs and plans established within
49 that district to provide for intensive supervision, sex
50 offender treatment, diversion of low-risk offenders

HF2335.4734 (3) 84

-7-

jm/jp

7/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 to the least restrictive sanction available, job
2 development, and expanded use of intermediate criminal
3 sanctions.
4 3. Each judicial district department of
5 correctional services shall provide alternatives to
6 prison consistent with chapter 901B. The alternatives
7 to prison shall ensure public safety while providing
8 maximum rehabilitation to the offender. A judicial
9 district department of correctional services may also
10 establish a day program.
11 4. The governor's office of drug control policy
12 or any succeeding entity of the governor's office of
13 drug control policy shall consider federal grants made
14 to the department of corrections for the benefit of
15 each of the eight judicial district departments of
16 correctional services as local government grants, as
17 defined pursuant to federal regulations.
18 5. The department of corrections shall continue
19 to contract with a judicial district department
20 of correctional services to provide for the rental
21 of electronic monitoring equipment which shall be
22 available statewide.
23 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is
24 amended to read as follows:
25 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.
26 1. There is appropriated from the general fund of
27 the state to the Iowa law enforcement academy for the
28 fiscal year beginning July 1, 2012, and ending June 30,
29 2013, the following amount, or so much thereof as is
30 necessary, to be used for the purposes designated:
31 For salaries, support, maintenance, miscellaneous
32 purposes, including jailer training and technical
33 assistance, and for not more than the following
34 full-time equivalent positions:
35 \$ 434,349
36 968,698
37 FTEs 24.55
38 25.50
39 It is the intent of the general assembly that the
40 Iowa law enforcement academy may provide training of
41 state and local law enforcement personnel concerning
42 the recognition of and response to persons with
43 Alzheimer's disease.
44 The Iowa law enforcement academy may temporarily
45 exceed and draw more than the amount appropriated in
46 this subsection and incur a negative cash balance as
47 long as there are receivables equal to or greater than
48 the negative balance and the amount appropriated in
49 this subsection is not exceeded at the close of the
50 fiscal year.

HF2335.4734 (3) 84

-8-

jm/jp

8/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 2. The Iowa law enforcement academy may select
2 at least five automobiles of the department of public
3 safety, division of state patrol, prior to turning over
4 the automobiles to the department of administrative
5 services to be disposed of by public auction, and
6 the Iowa law enforcement academy may exchange any
7 automobile owned by the academy for each automobile
8 selected if the selected automobile is used in training
9 law enforcement officers at the academy. However,
10 any automobile exchanged by the academy shall be
11 substituted for the selected vehicle of the department
12 of public safety and sold by public auction with the
13 receipts being deposited in the depreciation fund to
14 the credit of the department of public safety, division
15 of state patrol.

16 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is
17 amended to read as follows:

18 SEC. 40. STATE PUBLIC DEFENDER. There is
19 appropriated from the general fund of the state to the
20 office of the state public defender of the department
21 of inspections and appeals for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the
23 following amounts, or so much thereof as is necessary,
24 to be allocated as follows for the purposes designated:

25 1. For salaries, support, maintenance,
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:

28	\$ 12,541,591
29	25,862,182
30	FTEs 219.00

31 2. ~~For the fees of court-appointed attorneys for~~
32 ~~indigent payments on behalf of eligible adults and~~
33 ~~juveniles from the indigent defense fund, in accordance~~
34 ~~with section 232.141 and chapter 815 815.11:~~

35	\$ 15,340,464
36	29,901,929

37 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is
38 amended to read as follows:

39 SEC. 41. BOARD OF PAROLE. There is appropriated
40 from the general fund of the state to the board of
41 parole for the fiscal year beginning July 1, 2012, and
42 ending June 30, 2013, the following amount, or so much
43 thereof as is necessary, to be used for the purposes
44 designated:

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-time
47 equivalent positions:

48	\$ 526,918
49	1,203,835
50	FTEs 12.50

HF2335.4734 (3) 84

-9-

jm/jp

9/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 13.00
2 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is
3 amended to read as follows:
4 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is
5 appropriated from the general fund of the state to
6 the department of public defense for the fiscal year
7 beginning July 1, 2012, and ending June 30, 2013, the
8 following amounts, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 1. MILITARY DIVISION
11 For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-time
13 equivalent positions:
14 \$ 2,763,521
15 5,675,042
16 FTEs 313.00
17 297.01
18 The military division may temporarily exceed
19 and draw more than the amount appropriated in this
20 subsection and incur a negative cash balance as long
21 as there are receivables of federal funds equal to
22 or greater than the negative balance and the amount
23 appropriated in this subsection is not exceeded at the
24 close of the fiscal year.
25 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
26 DIVISION
27 For salaries, support, maintenance, miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:
30 \$ 918,439
31 1,836,877
32 FTEs 40.00
33 35.34
34 For statewide flood mitigation:
35 \$ 100,000
36 a. The homeland security and emergency management
37 division may temporarily exceed and draw more than
38 the ~~amount~~ amounts appropriated in this subsection
39 and incur a negative cash balance as long as there
40 are receivables of federal funds equal to or greater
41 than the negative balance and the ~~amount~~ amounts
42 appropriated in this subsection ~~is~~ are not exceeded at
43 the close of the fiscal year.
44 b. It is the intent of the general assembly that
45 the homeland security and emergency management division
46 work in conjunction with the department of public
47 safety, to the extent possible, when gathering and
48 analyzing information related to potential domestic
49 or foreign security threats, and when monitoring such
50 threats.

HF2335.4734 (3) 84

-10-

jm/jp

10/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 Sec. 10. 2011 Iowa Acts, chapter 134, section 43,
2 is amended to read as follows:
3 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is
4 appropriated from the general fund of the state to
5 the department of public safety for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amounts, or so much thereof as is necessary,
8 to be used for the purposes designated:
9 1. For the department's administrative functions,
10 including the criminal justice information system, and
11 for not more than the following full-time equivalent
12 positions:
13 \$ ~~2,003,538~~
14 4,007,075
15 FTEs 36.00
16 2. For the division of criminal investigation,
17 including the state's contribution to the peace
18 officers' retirement, accident, and disability system
19 provided in chapter 97A in the amount of the state's
20 normal contribution rate, as defined in section
21 97A.8, multiplied by the salaries for which the
22 funds are appropriated, to meet federal fund matching
23 requirements, and for not more than the following
24 full-time equivalent positions:
25 \$ ~~6,266,966~~
26 12,533,931
27 FTEs ~~159.10~~
28 154.60
29 The department shall employ one additional special
30 agent and one additional criminalist for the purpose
31 of investigating cold cases. Prior to employing the
32 additional special agent and criminalist authorized
33 in this paragraph, the department shall provide a
34 written statement to prospective employees that states
35 to the effect that the positions are being funded by
36 a temporary federal grant and there are no assurances
37 that funds from other sources will be available after
38 the federal funding expires. If the federal funding
39 for the additional positions expires during the fiscal
40 year, the number of full-time equivalent positions
41 authorized in this subsection is reduced by 2.00 FTEs.
42 3. For the criminalistics laboratory fund created
43 in section 691.9:
44 \$ ~~151,173~~
45 302,345
46 4. a. For the division of narcotics enforcement,
47 including the state's contribution to the peace
48 officers' retirement, accident, and disability system
49 provided in chapter 97A in the amount of the state's
50 normal contribution rate, as defined in section

HF2335.4734 (3) 84

-11-

jm/jp

11/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 97A.8, multiplied by the salaries for which the
2 funds are appropriated, to meet federal fund matching
3 requirements, and for not more than the following
4 full-time equivalent positions:
5 \$ 3,214,942
6 6,429,884
7 FTEs 74.00
8 68.00
9 b. For the division of narcotics enforcement for
10 undercover purchases:
11 \$ 54,521
12 109,042
13 5. For the division of state fire marshal, for fire
14 protection services as provided through the state fire
15 service and emergency response council as created in
16 the department, and for the state's contribution to the
17 peace officers' retirement, accident, and disability
18 system provided in chapter 97A in the amount of the
19 state's normal contribution rate, as defined in section
20 97A.8, multiplied by the salaries for which the funds
21 are appropriated, and for not more than the following
22 full-time equivalent positions:
23 \$ 2,149,354
24 4,298,707
25 FTEs 55.00
26 54.00
27 6. For the division of state patrol, for salaries,
28 support, maintenance, workers' compensation costs,
29 and miscellaneous purposes, including the state's
30 contribution to the peace officers' retirement,
31 accident, and disability system provided in chapter 97A
32 in the amount of the state's normal contribution rate,
33 as defined in section 97A.8, multiplied by the salaries
34 for which the funds are appropriated, and for not more
35 than the following full-time equivalent positions:
36 \$ 25,951,617
37 52,403,233
38 FTEs 513.00
39 502.00
40 It is the intent of the general assembly that
41 members of the state patrol be assigned to patrol
42 the highways and roads in lieu of assignments for
43 inspecting school buses for the school districts.
44 7. For deposit in the sick leave benefits fund
45 established under section 80.42 for all departmental
46 employees eligible to receive benefits for accrued sick
47 leave under the collective bargaining agreement:
48 \$ 139,759
49 279,517
50 8. For costs associated with the training and

HF2335.4734 (3) 84

-12-

jm/jp

12/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 equipment needs of volunteer fire fighters:
2 \$ 362,760
3 795,520
4 a. Notwithstanding section 8.33, moneys
5 appropriated in this subsection that remain
6 unencumbered or unobligated at the close of the fiscal
7 year shall not revert but shall remain available for
8 expenditure only for the purpose designated in this
9 subsection until the close of the succeeding fiscal
10 year.
11 b. Notwithstanding section 8.39, within the
12 moneys appropriated in this section, the department
13 of public safety may reallocate moneys as necessary
14 to best fulfill the needs provided for in the
15 appropriation. However, the department shall not
16 reallocate an appropriation made to the department
17 in this section unless notice of the reallocation
18 is given to the legislative services agency and
19 the department of management prior to the effective
20 date of the reallocation. The notice shall include
21 information regarding the rationale for reallocating
22 the appropriation. The department shall not reallocate
23 an appropriation made in this section for the purpose
24 of eliminating any program.
25 Sec. 11. 2011 Iowa Acts, chapter 134, section 44,
26 is amended to read as follows:
27 SEC. 44. GAMING ENFORCEMENT.
28 1. There is appropriated from the gaming
29 enforcement revolving fund created in section 80.43 to
30 the department of public safety for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, the
32 following amount, or so much thereof as is necessary,
33 to be used for the purposes designated:
34 For any direct and indirect support costs for
35 agents and officers of the division of criminal
36 investigation's excursion gambling boat, gambling
37 structure, and racetrack enclosure enforcement
38 activities, including salaries, support, maintenance,
39 miscellaneous purposes, and for not more than the
40 following full-time equivalent positions:
41 \$ 4,918,153
42 10,335,709
43 FTEs 120.00
44 115.00
45 2. For each additional license to conduct gambling
46 games on an excursion gambling boat, gambling
47 structure, or racetrack enclosure issued during
48 the fiscal year beginning July 1, 2012, there is
49 appropriated from the gaming enforcement fund to
50 the department of public safety for the fiscal year

HF2335.4734 (3) 84

-13-

jm/jp

13/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 beginning July 1, 2012, and ending June 30, 2013, an
2 additional amount of not more than \$521,000 to be used
3 for not more than 6.00 additional full-time equivalent
4 positions.

5 3. The department of public safety, with the
6 approval of the department of management, may employ
7 no more than two special agents and four gaming
8 enforcement officers for each additional riverboat
9 or gambling structure regulated after July 1, 2012,
10 and one special agent for each racing facility which
11 becomes operational during the fiscal year which
12 begins July 1, 2012. One additional gaming enforcement
13 officer, up to a total of four per riverboat or
14 gambling structure, may be employed for each riverboat
15 or gambling structure that has extended operations to
16 24 hours and has not previously operated with a 24-hour
17 schedule. Positions authorized in this subsection
18 are in addition to the full-time equivalent positions
19 otherwise authorized in this section.

20 Sec. 12. 2011 Iowa Acts, chapter 134, section 45,
21 is amended to read as follows:

22 SEC. 45. CIVIL RIGHTS COMMISSION. There is
23 appropriated from the general fund of the state to the
24 Iowa state civil rights commission for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, the
26 following amount, or so much thereof as is necessary,
27 to be used for the purposes designated:

28 For salaries, support, maintenance, miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31	\$	648,535
32		<u>1,297,069</u>
33	FTEs	28.00

34 The Iowa state civil rights commission may enter
35 into a contract with a nonprofit organization to
36 provide legal assistance to resolve civil rights
37 complaints.

38 Sec. 13. 2011 Iowa Acts, chapter 134, is amended by
39 adding the following new section:

40 NEW SECTION. SEC. 45A. DIVISION OF CRIMINAL AND
41 JUVENILE JUSTICE PLANNING — APPROPRIATION. There is
42 appropriated from the general fund of the state to the
43 division of criminal and juvenile justice planning of
44 the department of human rights for the fiscal year
45 beginning July 1, 2012, and ending June 30, 2013, the
46 following amount, or so much thereof as is necessary,
47 to be used for the purposes designated:

48 For criminal and juvenile justice research:

49	\$	80,000
50	FTEs	1.00

HF2335.4734 (3) 84

-14-

jm/jp

14/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 Sec. 14. 2011 Iowa Acts, chapter 134, section 46,
2 is amended to read as follows:
3 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
4 DIVISION. There is appropriated from the wireless
5 E911 emergency communications fund created in section
6 34A.7A to the administrator of the homeland security
7 and emergency management division of the department of
8 public defense for the fiscal year beginning July 1,
9 2012, and ending June 30, 2013, an amount not exceeding
10 ~~\$200,000~~ \$250,000 to be used for implementation,
11 support, and maintenance of the functions of the
12 administrator and program manager under chapter 34A and
13 to employ the auditor of the state to perform an annual
14 audit of the wireless E911 emergency communications
15 fund.
16 Sec. 15. Section 80.18, unnumbered paragraph 2,
17 Code 2011, is amended to read as follows:
18 The department may expend moneys from the support
19 allocation of the department as reimbursement for
20 replacement or repair of personal items of the
21 department's peace officers or employees damaged or
22 destroyed during a peace officer's or employee's course
23 of employment. However, the reimbursement shall not
24 exceed the greater of ~~one hundred fifty~~ two hundred
25 dollars or the amount agreed to under the collective
26 bargaining agreement for each item. The department
27 shall adopt rules in accordance with chapter 17A to
28 administer this paragraph.
29 Sec. 16. Section 80.43, subsection 1, Code 2011, is
30 amended to read as follows:
31 1. A gaming enforcement revolving fund is created
32 in the state treasury under the control of the
33 department. The fund shall consist of fees collected
34 and deposited into the fund paid by licensees pursuant
35 to section 99D.14, subsection 2, paragraph "b", and
36 fees paid by licensees pursuant to section 99F.10,
37 subsection 4, paragraph "b". All costs for agents and
38 officers plus any direct ~~and indirect~~ support costs for
39 such agents and officers of the division of criminal
40 investigation's racetrack, excursion boat, or gambling
41 structure enforcement activities shall be paid from
42 the fund as provided in appropriations made for this
43 purpose by the general assembly.
44 Sec. 17. Section 85.67, Code 2011, is amended to
45 read as follows:
46 **85.67 Administration of fund — special counsel —**
47 **payment of award.**
48 The attorney general shall appoint a staff member to
49 represent the treasurer of state and the fund in all
50 proceedings and matters arising under this division.

HF2335.4734 (3) 84

-15-

jm/jp

15/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 The attorney general shall be reimbursed up to one
2 ~~hundred fifty two~~ hundred thousand dollars annually
3 from the fund for services provided related to the
4 fund. The commissioner of insurance shall consider the
5 reimbursement to the attorney general as an outstanding
6 liability when making a determination of funding
7 availability under section 85.65A, subsection 2. In
8 making an award under this division, the workers'
9 compensation commissioner shall specifically find the
10 amount the injured employee shall be paid weekly, the
11 number of weeks of compensation which shall be paid by
12 the employer, the date upon which payments out of the
13 fund shall begin, and, if possible, the length of time
14 the payments shall continue.

15 Sec. 18. Section 99D.14, subsection 2, paragraph b,
16 Code Supplement 2011, is amended to read as follows:

17 *b.* Notwithstanding sections 8.60 and 99D.17, the
18 portion of the fee paid pursuant to paragraph "a"
19 relating to the costs of special agents plus any
20 direct and indirect support costs for the agents, for
21 the division of criminal investigation's racetrack
22 activities, ~~shall not be deposited in the general~~
23 ~~fund of the state but instead~~ shall be deposited into
24 the gaming enforcement revolving fund established
25 in section 80.43. However, the department of public
26 safety shall transfer, on an annual basis, the portion
27 of the regulatory fee attributable to the indirect
28 support costs of the special agents to the general fund
29 of the state.

30 Sec. 19. Section 99F.10, subsection 4, paragraph b,
31 Code Supplement 2011, is amended to read as follows:

32 *b.* Notwithstanding sections 8.60 and 99F.4, the
33 portion of the fee paid pursuant to paragraph "a"
34 relating to the costs of special agents and officers
35 plus any direct and indirect support costs for the
36 agents and officers, for the division of criminal
37 investigation's excursion gambling boat or gambling
38 structure activities, ~~shall not be deposited in~~
39 ~~the general fund of the state but instead~~ shall be
40 deposited into the gaming enforcement revolving fund
41 established in section 80.43. However, the department
42 of public safety shall transfer, on an annual basis,
43 the portion of the regulatory fee attributable to the
44 indirect support costs of the special agents and gaming
45 enforcement officers to the general fund of the state.

46 Sec. 20. Section 654.4B, subsection 2, paragraph b,
47 Code Supplement 2011, is amended to read as follows:

48 *b.* This subsection is repealed July 1, 2012 2013.

49 Sec. 21. EFFECTIVE UPON ENACTMENT. The following
50 provisions of this Act, being deemed of immediate

HF2335.4734 (3) 84

-16-

jm/jp

16/17



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 importance, take effect upon enactment:
2 1. The section of this Act amending section 80.43,
3 subsection 1.
4 2. The section of this Act amending section 99D.14,
5 subsection 2, paragraph "b".
6 3. The section of this Act amending section 99F.10,
7 subsection 4.>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2336

S-5057

1 Amend House File 2336, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

7 GENERAL APPROPRIATIONS FOR FY 2012-2013

8 Section 1. 2011 Iowa Acts, chapter 128, section 46,
9 is amended to read as follows:

10 SEC. 46. GENERAL FUND — DEPARTMENT.

11 1. There is appropriated from the general fund of
12 the state to the department of agriculture and land
13 stewardship for the fiscal year beginning July 1, 2012,
14 and ending June 30, 2013, the following amount, or
15 so much thereof as is necessary, to be used for the
16 purposes designated:

17 For purposes of supporting the department, including	
18 its divisions, for administration, regulation, and	
19 programs; for salaries, support, maintenance, and	
20 miscellaneous purposes; and for not more than the	
21 following full-time equivalent positions:	
22	\$ 8,248,654
23	16,497,308
24	FTEs 366.00

25 2. The department shall submit a report each
26 quarter of the fiscal year to the legislative services
27 agency, the department of management, the members of
28 the joint appropriations subcommittee on agriculture
29 and natural resources, and the chairpersons and
30 ranking members of the senate and house committees on
31 appropriations. The report shall describe in detail
32 the expenditure of moneys appropriated in this section
33 to support the department's administration, regulation,
34 and programs.

35 3. Of the amount appropriated in this section,
36 ~~\$119,000~~ \$238,000 is transferred to Iowa state
37 university of science and technology, to be used
38 for the university's midwest grape and wine industry
39 institute.

40 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

41 Sec. 2. 2011 Iowa Acts, chapter 128, section 47, is
42 amended to read as follows:

43 SEC. 47. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
44 HORSE AND DOG RACING. There is appropriated from the
45 moneys available under section 99D.13 to the department
46 of agriculture and land stewardship for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 For purposes of supporting the department's

HF2336.4534 (3) 84

-1-

da/jp

1/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 administration and enforcement of horse and dog racing
2 law pursuant to section 99D.22, including for salaries,
3 support, maintenance, and miscellaneous purposes:

4 \$ 152,758
5 305,516

6 DESIGNATED APPROPRIATIONS — MOTOR FUEL

7 Sec. 3. 2011 Iowa Acts, chapter 128, section 48, is
8 amended to read as follows:

9 SEC. 48. RENEWABLE FUEL INFRASTRUCTURE FUND —
10 MOTOR FUEL INSPECTION. There is appropriated from the
11 renewable fuel infrastructure fund created in section
12 ~~156.205~~ 159A.16 to the department of agriculture and
13 land stewardship for the fiscal year beginning July 1,
14 2012, and ending June 30, 2013, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For purposes of the inspection of motor fuel,
18 including salaries, support, maintenance, and
19 miscellaneous purposes:

20 \$ 250,000
21 500,000

22 The department shall establish and administer
23 programs for the auditing of motor fuel including
24 biofuel processing and production plants, for screening
25 and testing motor fuel, including renewable fuel,
26 and for the inspection of motor fuel sold by dealers
27 including retail dealers who sell and dispense motor
28 fuel from motor fuel pumps.

29 SPECIAL APPROPRIATIONS

30 Sec. 4. 2011 Iowa Acts, chapter 128, is amended by
31 adding the following new section:

32 NEW SECTION. SEC. 48A. GENERAL FUND — DAIRY
33 REGULATION. There is appropriated from the general
34 fund of the state to the department of agriculture and
35 land stewardship for the fiscal year beginning July 1,
36 2012, and ending June 30, 2013, the following amount,
37 or so much thereof as is necessary, to be used for the
38 purposes designated:

39 1. For purposes of performing functions pursuant to
40 section 192.109, including conducting a survey of grade
41 "A" milk and certifying the results to the secretary
42 of agriculture:

43 \$ 189,196

44 2. Notwithstanding section 8.33, moneys
45 appropriated for the fiscal year beginning July 1,
46 2012, in this section that remain unencumbered or
47 unobligated at the close of the fiscal year shall not
48 revert but shall remain available to be used for the
49 purposes designated until the close of the succeeding
50 fiscal year.

HF2336.4534 (3) 84

-2-

da/jp

2/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 Sec. 5. 2011 Iowa Acts, chapter 131, section 81, is
2 amended to read as follows:

3 SEC. 81. APPROPRIATION — FARMERS WITH
4 DISABILITIES. There is appropriated from the general
5 fund of the state to the department of agriculture and
6 land stewardship for the following fiscal years, the
7 following amounts, or so much thereof as is necessary,
8 for a program for farmers with disabilities:
9 FY 2011–2012..... \$ 97,000
10 FY 2012–2013..... \$ ~~48,500~~
11 97,000

12 The moneys appropriated in this section shall be
13 used for the public purpose of providing a grant to
14 a national nonprofit organization with over 80 years
15 of experience in assisting children and adults with
16 disabilities and special needs. The moneys shall
17 be used to support a nationally recognized program
18 that began in 1986 and has been replicated in at
19 least 30 other states, but which is not available
20 through any other entity in this state, and that
21 provides assistance to farmers with disabilities in
22 all 99 counties to allow the farmers to remain in
23 their own homes and be gainfully engaged in farming
24 through provision of agricultural worksite and home
25 modification consultations, peer support services,
26 services to families, information and referral, and
27 equipment loan services. Notwithstanding section
28 8.33, moneys appropriated in this section that remain
29 unencumbered or unobligated at the close of the fiscal
30 year shall not revert but shall remain available for
31 expenditure for the purposes designated until the close
32 of the succeeding fiscal year.

33 DIVISION II
34 DEPARTMENT OF NATURAL RESOURCES
35 GENERAL APPROPRIATIONS FOR FY 2012–2013

36 Sec. 6. 2011 Iowa Acts, chapter 128, section 49, is
37 amended to read as follows:

38 SEC. 49. GENERAL FUND — DEPARTMENT.
39 1. There is appropriated from the general fund of
40 the state to the department of natural resources for
41 the fiscal year beginning July 1, 2012, and ending June
42 30, 2013, the following amount, or so much thereof as
43 is necessary, to be used for the purposes designated:
44 For purposes of supporting the department, including
45 its divisions, for administration, regulation, and
46 programs; for salaries, support, maintenance, and
47 miscellaneous purposes; and for not more than the
48 following full-time equivalent positions:
49 \$ ~~6,133,344~~
50 12,466,688

HF2336.4534 (3) 84

-3-

da/jp

3/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 FTEs 1,145.95
2 2. Of the number of full-time equivalent positions
3 authorized to the department pursuant to subsection 1,
4 50.00 full-time equivalent positions shall be allocated
5 by the department for seasonal employees for purposes
6 of providing maintenance, upkeep, and sanitary services
7 at state parks. This subsection shall not impact park
8 ranger positions within the department.
9 3. The department shall submit a report each
10 quarter of the fiscal year to the legislative services
11 agency, the department of management, the members of
12 the joint appropriations subcommittee on agriculture
13 and natural resources, and the chairpersons and
14 ranking members of the senate and house committees on
15 appropriations. The report shall describe in detail
16 the expenditure of moneys appropriated under this
17 section to support the department's administration,
18 regulation, and programs.
19 Sec. 7. 2011 Iowa Acts, chapter 128, section 50, is
20 amended to read as follows:
21 SEC. 50. STATE FISH AND GAME PROTECTION FUND —
22 DIVISION OF FISH AND WILDLIFE.
23 1. There is appropriated from the state fish and
24 game protection fund to the department of natural
25 resources for the fiscal year beginning July 1, 2012,
26 and ending June 30, 2013, the following amount, or
27 so much thereof as is necessary, to be used for the
28 purposes designated:
29 For purposes of supporting the division of fish and
30 wildlife, including for administration, regulation,
31 and programs; and for salaries, support, maintenance,
32 equipment, and miscellaneous purposes:
33 \$ 19,396,577
34 39,951,171
35 2. Notwithstanding section 455A.10, the department
36 may use the unappropriated balance remaining in the
37 state fish and game protection fund to provide for the
38 funding of health and life insurance premium payments
39 from unused sick leave balances of conservation peace
40 officers employed in a protection occupation who
41 retire, pursuant to section 97B.49B.
42 ~~3. Notwithstanding section 455A.10, the department~~
43 ~~of natural resources may use the unappropriated~~
44 ~~balance remaining in the state fish and game protection~~
45 ~~fund for the fiscal year beginning July 1, 2012,~~
46 ~~and ending June 30, 2013, as is necessary to fund~~
47 ~~salary adjustments for departmental employees which~~
48 ~~the general assembly has made an operating budget~~
49 ~~appropriation for in subsection 1.~~
50 Sec. 8. 2011 Iowa Acts, chapter 128, section 51, is

HF2336.4534 (3) 84

-4-

da/jp

4/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 amended to read as follows:

2 SEC. 51. GROUNDWATER PROTECTION FUND — WATER
3 QUALITY. There is appropriated from the groundwater
4 protection fund created in section 455E.11 to the
5 department of natural resources for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, from
7 those moneys which are not allocated pursuant to that
8 section, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For purposes of supporting the department's
11 protection of the state's groundwater, including
12 for administration, regulation, and programs, and
13 for salaries, support, maintenance, equipment, and
14 miscellaneous purposes:
15 \$ 1,727,916
16 3,455,832

17 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

18 Sec. 9. 2011 Iowa Acts, chapter 128, section 52, is
19 amended to read as follows:

20 SEC. 52. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
21 PROGRAM. There is appropriated from the special
22 snowmobile fund created under section 321G.7 to the
23 department of natural resources for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, the
25 following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For purposes of administering and enforcing the
28 state snowmobile programs:
29 \$ 50,000
30 100,000

31 Sec. 10. 2011 Iowa Acts, chapter 128, section 53,
32 is amended to read as follows:

33 SEC. 53. UNASSIGNED REVENUE FUND — UNDERGROUND
34 STORAGE TANK SECTION EXPENSES. There is appropriated
35 from the unassigned revenue fund administered by the
36 Iowa comprehensive underground storage tank fund
37 board to the department of natural resources for the
38 fiscal year beginning July 1, 2012, and ending June 30,
39 2013, the following amount, or so much thereof as is
40 necessary, to be used for the purpose designated:

41 For purposes of paying for administration expenses
42 of the department's underground storage tank section:
43 \$ 100,000
44 200,000

45 SPECIAL APPROPRIATIONS

46 Sec. 11. 2011 Iowa Acts, chapter 128, is amended by
47 adding the following new section:

48 NEW SECTION. SEC. 54A. GENERAL FUND — FLOODPLAIN
49 MANAGEMENT AND DAM SAFETY.

50 1. There is appropriated from the general fund of

HF2336.4534 (3) 84

-5-

da/jp

5/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 the state to the department of natural resources for
2 the fiscal year beginning July 1, 2012, and ending June
3 30, 2013, the following amount, or so much thereof as
4 is necessary, to be used for the purpose designated:

5 For purposes of supporting floodplain management and
6 dam safety:

7 \$ 2,000,000

8 2. Of the amount appropriated in subsection 1, up
9 to \$400,000 may be used by the department to acquire
10 or install stream gages for purposes of tracking and
11 predicting flood events and for compiling necessary
12 data to improve flood frequency analysis.

13 3. Notwithstanding section 8.33, moneys
14 appropriated in subsection 1 that remain unencumbered
15 or unobligated at the close of the fiscal year shall
16 not revert but shall remain available for expenditure
17 for the purposes designated until the close of the
18 fiscal year beginning July 1, 2013.

19 Sec. 12. 2011 Iowa Acts, chapter 128, is amended by
20 adding the following new section:

21 NEW SECTION. SEC. 54B. STATE FISH AND GAME
22 PROTECTION FUND — FISH CLEANING STATION. There is
23 appropriated from the state fish and game protection
24 fund to the department of natural resources for the
25 fiscal year beginning July 1, 2012, and ending June 30,
26 2013, the following amount, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 For purposes of supporting a fish cleaning station
29 which is located in Guttenburg, Iowa, and operated by
30 the department:

31 \$ 15,000

32 DIVISION III
33 IOWA STATE UNIVERSITY
34 APPROPRIATION FOR FY 2012-2013

35 Sec. 13. 2011 Iowa Acts, chapter 128, section 55,
36 is amended to read as follows:

37 SEC. 55. GENERAL FUND — VETERINARY DIAGNOSTIC
38 LABORATORY.

39 1. There is appropriated from the general fund
40 of the state to Iowa state university of science and
41 technology for the fiscal year beginning July 1, 2012,
42 and ending June 30, 2013, the following amount, or
43 so much thereof as is necessary, to be used for the
44 purposes designated:

45 For purposes of supporting the college of veterinary
46 medicine for the operation of the veterinary diagnostic
47 laboratory and for not more than the following
48 full-time equivalent positions:

49 \$ ~~1,618,818~~
50 3,237,636

HF2336.4534 (3) 84

-6-

da/jp

6/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 FTEs 50.00
2 2. a. Iowa state university of science and
3 technology shall not reduce the amount that it
4 allocates to support the college of veterinary medicine
5 from any other source due to the appropriation made in
6 this section.
7 b. Paragraph "a" does not apply to a reduction made
8 to support the college of veterinary medicine, if the
9 same percentage of reduction imposed on the college
10 of veterinary medicine is also imposed on all of Iowa
11 state university's budget units.
12 3. If by June 30, 2013, Iowa state university
13 of science and technology fails to allocate the
14 moneys appropriated in this section to the college of
15 veterinary medicine in accordance with this section,
16 the moneys appropriated in this section for that fiscal
17 year shall revert to the general fund of the state.
18 DIVISION IV
19 ENVIRONMENT FIRST FUND
20 GENERAL APPROPRIATIONS FOR FY 2012-2013
21 Sec. 14. 2011 Iowa Acts, chapter 128, section 57,
22 is amended to read as follows:
23 SEC. 57. DEPARTMENT OF AGRICULTURE AND LAND
24 STEWARDSHIP. There is appropriated from the
25 environment first fund created in section 8.57A to the
26 department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 2012, and ending June 30,
28 2013, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:
30 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
31 a. For the conservation reserve enhancement program
32 to restore and construct wetlands for the purposes of
33 intercepting tile line runoff, reducing nutrient loss,
34 improving water quality, and enhancing agricultural
35 production practices:
36 \$ 500,000
37 1,000,000
38 b. Not more than 10 percent of the moneys
39 appropriated in paragraph "a" may be used for costs of
40 administration and implementation of soil and water
41 conservation practices.
42 c. Notwithstanding any other provision in law,
43 the department may provide state resources from this
44 appropriation, in combination with other appropriate
45 environment first fund appropriations, for cost sharing
46 to match United States department of agriculture,
47 natural resources conservation service, wetlands
48 reserve enhancement program (WREP) funding available
49 to Iowa.
50 2. WATERSHED PROTECTION

HF2336.4534 (3) 84

-7-

da/jp

7/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 a. For continuation of a program that provides
2 multiobjective resource protections for flood control,
3 water quality, erosion control, and natural resource
4 conservation:
5 \$ 450,000
6 900,000
7 b. Not more than 10 percent of the moneys
8 appropriated in paragraph "a" may be used for costs of
9 administration and implementation of soil and water
10 conservation practices.
11 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
12 a. For continuation of a statewide voluntary farm
13 management demonstration program to demonstrate the
14 effectiveness and adaptability of emerging practices in
15 agronomy that protect water resources and provide other
16 environmental benefits:
17 \$ 312,500
18 625,000
19 b. Not more than 10 percent of the moneys
20 appropriated in paragraph "a" may be used for costs of
21 administration and implementation of soil and water
22 conservation practices.
23 c. Of the amount appropriated in paragraph "a",
24 ~~\$185,000~~ \$370,000 shall be allocated to an organization
25 representing soybean growers to provide for an
26 agriculture and environment performance program in
27 order to carry out the purposes of this subsection as
28 specified in paragraph "a".
29 4. SOIL AND WATER CONSERVATION — ADMINISTRATION
30 For use by the department for costs of
31 administration and implementation of soil and water
32 conservation practices:
33 \$ 1,000,000
34 2,000,000
35 5. CONSERVATION RESERVE PROGRAM (CRP)
36 a. To encourage and assist farmers in enrolling
37 in and the implementation of the federal conservation
38 reserve program and to work with them to enhance their
39 revegetation efforts to improve water quality and
40 habitat:
41 \$ 500,000
42 1,000,000
43 b. Not more than 10 percent of the moneys
44 appropriated in paragraph "a" may be used for costs of
45 administration and implementation of soil and water
46 conservation practices.
47 6. SOIL AND WATER CONSERVATION
48 a. For use by the department in providing for soil
49 and water conservation administration, the conservation
50 of soil and water resources, or the support of soil and

HF2336.4534 (3) 84

-8-

da/jp

8/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 water conservation district commissioners:
2 \$ 3,150,000
3 6,656,250
4 b. Not more than 5 percent of the moneys
5 appropriated in paragraph "a" may be allocated for
6 cost sharing to address complaints filed under section
7 161A.47.
8 c. Of the moneys appropriated in paragraph "a",
9 5 percent shall be allocated for financial incentives
10 to establish practices to protect watersheds above
11 publicly owned lakes of the state from soil erosion and
12 sediment as provided in section 161A.73.
13 d. Not more than 30 percent of a soil and water
14 conservation district's allocation of moneys as
15 financial incentives may be provided for the purpose
16 of establishing management practices to control soil
17 erosion on land that is row cropped, including but
18 not limited to no-till planting, ridge-till planting,
19 contouring, and contour strip-cropping as provided in
20 section 161A.73.
21 e. The state soil conservation committee
22 established by section 161A.4 may allocate moneys
23 appropriated in paragraph "a" to conduct research and
24 demonstration projects to promote conservation tillage
25 and nonpoint source pollution control practices.
26 f. The allocation of moneys as financial incentives
27 as provided in section 161A.73 may be used in
28 combination with moneys allocated by the department of
29 natural resources.
30 g. Not more than 15 percent of the moneys
31 appropriated in paragraph "a" may be used for costs of
32 administration and implementation of soil and water
33 conservation practices.
34 h. In lieu of moneys appropriated in section
35 466A.5, not more than \$50,000 of the moneys
36 appropriated in paragraph "a" shall be used by the soil
37 conservation division of the department of agriculture
38 and land stewardship to provide administrative support
39 to the watershed improvement review board established
40 in section 466A.3.
41 7. LOCAL FOOD AND FARM PROGRAM COORDINATOR
42 a. For purposes of supporting a local food and farm
43 program coordinator as established pursuant to new Code
44 chapter 267A as enacted in this Act, for salaries,
45 support, maintenance, and miscellaneous purposes:
46 \$ 37,500
47 75,000
48 b. The department shall enter into a cost-sharing
49 agreement with Iowa state university to support the
50 local food and farm program coordinator position as

HF2336.4534 (3) 84

-9-

da/jp

9/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 part of the university's cooperative extension service
2 in agriculture and home economics pursuant to ~~new Code~~
3 chapter 267A ~~as enacted in this Act.~~
4 8. AGRICULTURAL EDUCATION
5 For purposes of allocating moneys to an Iowa
6 association affiliated with a national organization
7 which promotes agricultural education providing for
8 future farmers:
9 \$ 12,500
10 25,000
11 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND
12 a. For deposit in the loess hills development and
13 conservation fund created in section 161D.2:
14 \$ 237,500
15 118,750
16 ~~b. (1) Of the amount appropriated in paragraph~~
17 ~~"a", \$178,125 shall be allocated to the fund's hungry~~
18 ~~canyons account.~~
19 ~~(2) Not more than 10 percent of the moneys~~
20 ~~allocated to the hungry canyons account as provided in~~
21 ~~subparagraph (1) may be used for administrative costs.~~
22 c. (1) Of the amount appropriated in paragraph
23 "a", ~~\$59,375~~ \$118,750 shall be allocated to the fund's
24 loess hills alliance account.
25 (2) Not more than 10 percent of the moneys
26 allocated to the loess hills alliance account
27 as provided in subparagraph (1) may be used for
28 administrative costs.
29 Sec. 15. 2011 Iowa Acts, chapter 128, section 58,
30 is amended to read as follows:
31 SEC. 58. DEPARTMENT OF NATURAL RESOURCES. There is
32 appropriated from the environment first fund created in
33 section 8.57A to the department of natural resources
34 for the fiscal year beginning July 1, 2012, and ending
35 June 30, 2013, the following amounts, or so much
36 thereof as is necessary, to be used for the purposes
37 designated:
38 1. KEEPERS OF THE LAND
39 For statewide coordination of volunteer efforts
40 under the water quality and keepers of the land
41 programs:
42 \$ 50,000
43 100,000
44 2. STATE PARKS MAINTENANCE AND OPERATIONS
45 For regular maintenance of state parks and staff
46 time associated with these activities:
47 \$ 1,605,000
48 3,210,000
49 3. FORESTRY HEALTH MANAGEMENT
50 To provide for forestry health management programs:

HF2336.4534 (3) 84

-10-

da/jp

10/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

1 \$ 50,000
2 100,000
3 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
4 To provide local watershed managers with geographic
5 information system data for their use in developing,
6 monitoring, and displaying results of their watershed
7 work:
8 \$ 97,500
9 195,000
10 5. WATER QUALITY MONITORING
11 For continuing the establishment and operation of
12 water quality monitoring stations:
13 \$ 1,477,500
14 2,955,000
15 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
16 For deposit in the public water supply system
17 account of the water quality protection fund created
18 in section 455B.183A:
19 \$ 250,000
20 500,000
21 7. REGULATION OF ANIMAL FEEDING OPERATIONS
22 For the regulation of animal feeding operations,
23 including as provided for in chapters 459 through 459B:
24 \$ 210,000
25 420,000
26 8. AMBIENT AIR QUALITY
27 For the abatement, control, and prevention of
28 ambient air pollution in this state, including measures
29 as necessary to assure attainment and maintenance of
30 ambient air quality standards from particulate matter:
31 \$ 212,500
32 425,000
33 9. WATER QUANTITY REGULATION
34 For regulating water quantity from surface and
35 subsurface sources by providing for the allocation and
36 use of water resources, the protection and management
37 of water resources, and the preclusion of conflicts
38 among users of water resources, including as provided
39 in chapter 455B, division III, part 4:
40 \$ 247,500
41 495,000
42 10. GEOLOGICAL AND WATER SURVEY
43 For continuing the operations of the department's
44 geological and water survey including but not limited
45 to providing analysis, data collection, investigative
46 programs, and information for water supply development
47 and protection:
48 \$ 100,000
49 200,000
50 DIVISION V

HF2336.4534 (3) 84

-11-

da/jp

11/12

**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012**

1 RESOURCES ENHANCEMENT AND PROTECTION
2 (REAP) FUND FOR FY 2012-2013
3 GENERAL APPROPRIATIONS
4 Sec. 16. 2011 Iowa Acts, chapter 128, is amended by
5 adding the following new section:
6 NEW SECTION. SEC. 58A. ENVIRONMENT FIRST
7 FUND. Notwithstanding the amount of the standing
8 appropriation from the general fund of the state to
9 the Iowa resources enhancement and protection fund as
10 provided in section 455A.18, there is appropriated from
11 the environment first fund created in section 8.57A to
12 the Iowa resources enhancement and protection fund,
13 in lieu of the appropriation made in section 455A.18,
14 for the fiscal year beginning July 1, 2012, and ending
15 June 30, 2013, the following amount, to be allocated as
16 provided in section 455A.19:
17 \$ 12,000,000>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

House File 2338

S-5058

1 Amend House File 2338, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 22, by striking <154,111,822> and
4 inserting <159,811,822>
5 2. Page 1, line 29, by striking <2,300,000> and
6 inserting <3,100,000>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate File 2316 - Introduced

SENATE FILE 2316
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3181)

A BILL FOR

1 An Act relating to and making appropriations to state
2 departments and agencies from the rebuild Iowa
3 infrastructure fund, the technology reinvestment fund, the
4 FY 2009 prison bonding fund, and the endowment for Iowa's
5 health restricted capitals fund, providing for related
6 matters, and including effective date and retroactive
7 applicability provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5122SV (3) 84
rh/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 DIVISION I
2 REBUILD IOWA INFRASTRUCTURE FUND
3 Section 1. There is appropriated from the rebuild Iowa
4 infrastructure fund to the following departments and agencies
5 for the following fiscal years the following amounts, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:
8 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
9 a. For deposit in the agricultural drainage well water
10 quality assistance fund created in section 460.303 to be used
11 for purposes of supporting the agricultural drainage well water
12 quality assistance program as provided in section 460.304,
13 notwithstanding section 8.57, subsection 6, paragraph "c":
14 FY 2012-2013..... \$ 500,000
15 b. Not more than 10 percent of the moneys appropriated
16 in paragraph "a" may be used for costs of administration and
17 implementation of soil and water conservation practices.
18 2. DEPARTMENT OF CORRECTIONS:
19 a. For the provision of a statewide public safety radio
20 network and the purchase of compatible radio communications
21 equipment with the goal of achieving compliance with the
22 federal communications commission's narrowbanding mandate
23 deadline, and for achieving "interoperability", as defined in
24 section 80.28, notwithstanding section 8.57, subsection 6,
25 paragraph "c":
26 FY 2012-2013..... \$ 3,500,000
27 If the department of public safety enters into a
28 public-private partnership, through a competitive bidding
29 process, for the provision of the statewide network and the
30 purchase of compatible equipment, the department of corrections
31 may join that effort.
32 As a condition of this appropriation, all land mobile
33 radio communications equipment purchased by the department of
34 corrections shall be compliant with the federal communications
35 commission's narrowbanding mandate and shall provide the

Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 maximum amount of statewide coverage and interoperability,
2 throughout all phases of migration, to the department of public
3 safety's future statewide digital radio network utilizing P-25
4 standards.

5 b. For repairs and renovation of the hot water loop system
6 at the Newton correctional facility:

7	FY 2013-2014.....	\$	258,000
---	-------------------	----	---------

8 The department may use any funds appropriated to the
9 department in the fiscal year beginning July 1, 2008, and
10 succeeding fiscal years for any prison repairs, construction,
11 and related improvements for the purposes of this lettered
12 paragraph, if necessary.

13 3. DEPARTMENT OF CULTURAL AFFAIRS

14 a. For exterior and interior repairs and related
15 improvements to the state historical building, including the
16 addition of a visitor center:

17	FY 2012-2013.....	\$ 2,000,000
----	-------------------	--------------

18 b. For deposit into the Iowa great places program fund
19 created in section 303.3D for Iowa great places program
20 projects that meet the definition of the term "vertical
21 infrastructure" in section 8.57, subsection 6, paragraph "c":

22	FY 2012-2013.....	\$	500,000
----	-------------------	----	---------

23 4. DEPARTMENT OF HUMAN SERVICES

24 For the renovation and construction of certain nursing
25 facilities, consistent with the provisions of chapter 249K:

26	FY 2012-2013.....	\$	250,000
----	-------------------	----	---------

27 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

28 For a comprehensive audit and appraisal, notwithstanding
29 section 8.57, subsection 6, paragraph "c":

30	FY 2012-2013.....	\$	500,000
----	-------------------	----	---------

31 Prior to the sale or lease of the Iowa communications
32 network, the network shall conduct a comprehensive accounting
33 to include a complete inventory of all the components included
34 in the network including all fiber, switching stations,
35 end user equipment, and individual components purchased by

LSB 5122SV (3) 84

rh/tm

2/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 the network and the state of Iowa since the creation of the
2 network. The network shall then conduct an appraisal of the
3 network to determine the market value of the assets listed in
4 the accounting as well as the market value of the network's
5 current and future operations.

6 The inventory audit and appraisal shall be conducted by an
7 independent professional firm selected through a competitive
8 bidding process not associated with the network or any of its
9 vendors. The selected firm shall be accredited in business
10 valuation from either the American institute of certified
11 public accountants or the American society of appraisers,
12 be technology-based, and have extensive industry experience
13 in telecommunications. In addition, the selected firm
14 shall have experience and knowledge regarding the public
15 markets for telecommunications companies, potential buyers
16 of telecommunications networks, and specific attributes of
17 telecommunications networks that impact their valuation.

18 6. DEPARTMENT OF NATURAL RESOURCES

19 a. For implementation of lake projects that have
20 established watershed improvement initiatives and community
21 support in accordance with the department's annual lake
22 restoration plan and report, notwithstanding section 8.57,
23 subsection 6, paragraph "c":

24 FY 2012-2013..... \$ 5,459,000

25 b. For the restoration and reconstruction of a dam in
26 a county with a population between 17,700 and 17,800 as
27 determined by the 2010 federal decennial census, for a lake
28 with public access that has the support of a benefited lake
29 district:

30 FY 2012-2013..... \$ 2,500,000

31 FY 2013-2014..... \$ 2,500,000

32 The appropriations in this paragraph are conditioned upon
33 the completion of a plan by the benefited lake district to
34 increase public access areas to the lake such as boat ramps
35 and beaches, and to address wastewater treatment systems for

LSB 5122SV (3) 84

-3-

rh/tm

3/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 homeowners in an effort to reduce pollution and increase the
2 water quality at the lake. The plan shall be submitted to the
3 general assembly no later than December 31, 2012.

4 c. For the administration of a water trails and low head
5 dam public hazard statewide plan, including salaries, support,
6 maintenance, and miscellaneous purposes, notwithstanding
7 section 8.57, subsection 6, paragraph "c":

8 FY 2012-2013..... \$ 1,000,000

9 7. DEPARTMENT OF PUBLIC DEFENSE

10 For major maintenance projects at national guard armories
11 and facilities:

12 FY 2012-2013..... \$ 2,000,000

13 8. BOARD OF REGENTS

14 a. For allocation by the state board of regents to the
15 state university of Iowa, Iowa state university of science
16 and technology, and the university of northern Iowa to
17 reimburse the institutions for deficiencies in the operating
18 funds resulting from the pledging of tuition, student fees
19 and charges, and institutional income to finance the cost of
20 providing academic and administrative buildings and facilities
21 and utility services at the institutions:

22 FY 2012-2013..... \$ 25,130,412

23 b. To Iowa state university of science and technology for
24 renovations and related improvements to modernize the animal
25 care facilities at the blank park zoo as part of a cooperative
26 effort of blank park zoo and the college of veterinary
27 medicine:

28 FY 2012-2013..... \$ 225,000

29 FY 2013-2014..... \$ 100,000

30 9. DEPARTMENT OF TRANSPORTATION

31 a. For acquiring, constructing, and improving recreational
32 trails within the state:

33 FY 2012-2013..... \$ 3,000,000

34 b. For deposit into the public transit infrastructure
35 grant fund created in section 324A.6A, for projects that meet



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 the definition of "vertical infrastructure" in section 8.57,
2 subsection 6, paragraph "c":
3 FY 2012-2013..... \$ 1,500,000
4 c. For infrastructure improvements at the commercial
5 service airports within the state:
6 FY 2012-2013..... \$ 1,500,000
7 d. For infrastructure improvements at general aviation
8 airports within the state:
9 FY 2012-2013..... \$ 750,000
10 e. For deposit into the railroad revolving loan and grant
11 fund created in section 327H.20A, notwithstanding section 8.57,
12 subsection 6, paragraph "c":
13 FY 2012-2013..... \$ 1,500,000
14 10. ECONOMIC DEVELOPMENT AUTHORITY
15 a. For equal distribution to regional sports authority
16 districts certified by the department pursuant to section
17 15E.321, notwithstanding section 8.57, subsection 6, paragraph
18 "c":
19 FY 2012-2013..... \$ 500,000
20 b. For administration and support of the world food prize
21 including the Borlaug/Ruan scholar program, notwithstanding
22 section 8.57, subsection 6, paragraph "c":
23 FY 2012-2013..... \$ 100,000
24 c. For the purchase or lease of a historic firehouse, and
25 related improvements, for a nonprofit social organization that
26 promotes the arts to create community engagement in a city with
27 a population between 200,000 and 205,000 as determined by the
28 2010 federal decennial census:
29 FY 2012-2013..... \$ 150,000
30 d. For roof repairs, restoration of the chapel, and
31 improvements and interior renovation to develop a collections
32 room at the museum at Fort Des Moines:
33 FY 2012-2013..... \$ 100,000
34 e. For remodeling, renovations, and related improvements of
35 a kitchen at a year-round camp for persons with disabilities



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 in a central Iowa city with a population between one hundred
2 ninety-five thousand and two hundred five thousand as
3 determined by the 2010 federal decennial census:
4 FY 2013-2014..... \$ 250,000
5 Moneys appropriated in this lettered paragraph are
6 contingent upon receipt of matching funds.
7 f. For accelerated career education program capital
8 projects at community colleges that are authorized under
9 chapter 260G and that meet the definition of the term "vertical
10 infrastructure" in section 8.57, subsection 6, paragraph "c":
11 FY 2012-2013..... \$ 2,500,000
12 11. STATE FAIR AUTHORITY
13 For renovations and improvements including but not limited
14 to the cultural center at the state fair:
15 FY 2012-2013..... \$ 250,000
16 FY 2013-2014..... \$ 250,000
17 12. TREASURER OF STATE
18 For distribution in accordance with chapter 174 to qualified
19 fairs which belong to the association of Iowa fairs for county
20 fair infrastructure improvements:
21 FY 2012-2013..... \$ 1,060,000
22 Sec. 2. REVERSION. For purposes of section 8.33, unless
23 specifically provided otherwise, unencumbered or unobligated
24 moneys made from an appropriation in this division of this Act
25 shall not revert but shall remain available for expenditure for
26 the purposes designated until the close of the fiscal year that
27 ends three years after the end of the fiscal year for which the
28 appropriation is made. However, if the project or projects for
29 which such appropriation was made are completed in an earlier
30 fiscal year, unencumbered or unobligated moneys shall revert at
31 the close of that same fiscal year.
32 DIVISION II
33 TECHNOLOGY REINVESTMENT FUND
34 Sec. 3. There is appropriated from the technology
35 reinvestment fund created in section 8.57C to the following



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 departments and agencies for the fiscal year beginning July
2 1, 2012, and ending June 30, 2013, the following amounts, or
3 so much thereof as is necessary, to be used for the purposes
4 designated:

5 1. DEPARTMENT OF CORRECTIONS

6 For costs associated with the Iowa corrections offender
7 network data system:

8 \$ 500,000

9 2. DEPARTMENT OF EDUCATION

10 a. For maintenance and lease costs associated with
11 connections for part III of the Iowa communications network:

12 \$ 2,727,000

13 b. For the continued development and implementation of an
14 educational data warehouse that will be utilized by teachers,
15 parents, school district administrators, area education agency
16 staff, department of education staff, and policymakers:

17 \$ 600,000

18 The department may use a portion of the moneys appropriated
19 in this lettered paragraph for an e-transcript data system
20 capable of tracking students throughout their education via
21 interconnectivity with multiple schools.

22 c. To the public broadcasting division for the purchase of
23 eight high-powered transmitting tubes:

24 \$ 320,000

25 3. DEPARTMENT OF HUMAN RIGHTS

26 For the cost of equipment and computer software for the
27 continued development and implementation of Iowa's criminal
28 justice information system and for salaries and administrative
29 support, notwithstanding section 8.57C, subsection 2:

30 \$ 1,714,307

31 4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

32 For replacement of equipment for the Iowa communications
33 network:

34 \$ 2,248,653

35 The commission may continue to enter into contracts pursuant

LSB 5122SV (3) 84

-7-

rh/tm

7/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 to section 8D.13 for the replacement of equipment and for
2 operations and maintenance costs of the network.

3 In addition to moneys appropriated in this subsection,
4 the commission may use a financing agreement entered into by
5 the treasurer of state in accordance with section 12.28 for
6 the replacement of equipment for the network. For purposes
7 of this subsection, the treasurer of state is not subject to
8 the maximum principal limitation contained in section 12.28,
9 subsection 6. Repayment of any amounts financed shall be made
10 from receipts associated with fees charged for use of the
11 network.

12 5. DEPARTMENT OF MANAGEMENT

13 For the continued development and implementation of a
14 searchable database that can be placed on the internet for
15 budget and financial information:

16 \$ 45,000

17 6. BOARD OF REGENTS

18 To Iowa state university of science and technology to
19 purchase equipment and for related improvements to modernize
20 the animal care facilities at the blank park zoo as part of
21 a cooperative effort of blank park zoo and the college of
22 veterinary medicine, notwithstanding section 8.57C, subsection
23 2:

24 \$ 175,000

25 Sec. 4. REVERSION. For purposes of section 8.33, unless
26 specifically provided otherwise, unencumbered or unobligated
27 moneys made from an appropriation in this division of this Act
28 shall not revert but shall remain available for expenditure for
29 the purposes designated until the close of the fiscal year that
30 ends three years after the end of the fiscal year for which the
31 appropriation was made. However, if the project or projects
32 for which such appropriation was made are completed in an
33 earlier fiscal year, unencumbered or unobligated moneys shall
34 revert at the close of that same fiscal year.

35 DIVISION III

LSB 5122SV (3) 84
rh/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 PRISON BONDING
2 Sec. 5. There is appropriated from the FY 2009 prison
3 bonding fund created pursuant to section 12.79 to the
4 department of corrections for the fiscal year beginning July
5 1, 2012, and ending June 30, 2013, the following amount, or
6 so much thereof as is necessary, to be used for the purpose
7 designated:
8 To the department of corrections for repairs and renovation
9 of the hot water loop system at the Newton correctional
10 facility:
11 \$ 167,000
12 Sec. 6. REVERSION. For purposes of section 8.33, unless
13 specifically provided otherwise, unencumbered or unobligated
14 moneys made from an appropriation in this division of this Act
15 shall not revert but shall remain available for expenditure for
16 the purposes designated until the close of the fiscal year that
17 ends three years after the end of the fiscal year for which the
18 appropriation was made. However, if the project or projects
19 for which such appropriation was made are completed in an
20 earlier fiscal year, unencumbered or unobligated moneys shall
21 revert at the close of that same fiscal year.
22 DIVISION IV
23 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND ACCOUNT —
24 APPROPRIATION
25 Sec. 7. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS
26 FUND ACCOUNT. There is appropriated from the endowment
27 for Iowa's health restricted capitals fund account to the
28 department of corrections for the fiscal year beginning July
29 1, 2012, and ending June 30, 2013, the following amount, or
30 so much thereof as is necessary, to be used for the purpose
31 designated:
32 For the construction project and one-time furniture,
33 fixture, and equipment costs at Fort Madison:
34 \$ 2,000,000
35 Sec. 8. REVERSION. For purposes of section 8.33, unless



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 specifically provided otherwise, unencumbered or unobligated
2 moneys made from an appropriation in this division of this Act
3 shall not revert but shall remain available for expenditure for
4 the purposes designated until the close of the fiscal year that
5 ends one year after the end of the fiscal year for which the
6 appropriation is made. However, if the project or projects for
7 which such appropriation was made are completed in an earlier
8 fiscal year, unencumbered or unobligated moneys shall revert at
9 the close of that same fiscal year.

10 DIVISION V

11 ECONOMIC DEVELOPMENT AUTHORITY — CONTINGENT APPROPRIATION

12 Sec. 9. ECONOMIC DEVELOPMENT AUTHORITY — APPROPRIATION.

13 1. For the fiscal year beginning July 1, 2013, and ending
14 June 30, 2014, there is appropriated from the rebuild Iowa
15 infrastructure fund to the economic development authority
16 \$2,000,000 for the Des Moines area regional transit authority
17 (DART) to develop a bus rapid transit service including
18 the acquisition of specialty hybrid buses, construction of
19 electronic infrastructure, construction of bus stations, and
20 related improvements to develop a rapid transit service,
21 notwithstanding section 8.57, subsection 6, paragraph "c".

22 2. This appropriation is contingent upon the authority's
23 receipt of local funds and the receipt of a federal grant, by
24 December 31, 2013, in an amount sufficient to complete the
25 project. The authority shall notify the legislative services
26 agency and the department of management if such funds are
27 received no later than January 15, 2014.

28 Sec. 10. REVERSION. For purposes of section 8.33, unless
29 specifically provided otherwise, unencumbered or unobligated
30 moneys made from an appropriation in this division of this Act
31 shall not revert but shall remain available for expenditure for
32 the purposes designated until the close of the fiscal year that
33 ends three years after the end of the fiscal year for which the
34 appropriation is made. However, if the project or projects for
35 which such appropriation was made are completed in an earlier

LSB 5122SV (3) 84

-10-

rh/tm

10/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 fiscal year, unencumbered or unobligated moneys shall revert at
2 the close of that same fiscal year.

3 DIVISION VI

4 DEPARTMENT OF TRANSPORTATION — RADIOS

5 Sec. 11. DEPARTMENT OF TRANSPORTATION — RADIOS. All
6 land mobile radio communications equipment purchased by the
7 department of transportation shall be compliant with the
8 federal communications commission's narrowbanding mandate and
9 shall provide the maximum amount of statewide coverage and
10 interoperability, throughout all phases of migration, to the
11 department of public safety's future statewide digital radio
12 network utilizing P-25 standards.

13 Sec. 12. EFFECTIVE UPON ENACTMENT. This division of this
14 Act, being deemed of immediate importance, takes effect upon
15 enactment.

16 Sec. 13. RETROACTIVE APPLICABILITY. This division of this
17 Act applies retroactively to July 1, 2011.

18 DIVISION VII

19 CHANGES TO PRIOR APPROPRIATIONS

20 Sec. 14. 2009 Iowa Acts, chapter 170, section 25, subsection
21 1, paragraph d, is amended to read as follows:

22 d. DEPARTMENT OF PUBLIC SAFETY

23 For construction of a state emergency response training
24 facility to be located in merged area XI:

25 \$ 2,000,000
26 0

27 Sec. 15. 2011 Iowa Acts, chapter 128, section 19, subsection
28 2, is amended to read as follows:

29 2. a. The mobile radios purchased by the department of
30 natural resources pursuant to subsection 1 shall be compatible
31 with a statewide public safety radio network, ~~if created in~~
32 ~~legislation enacted by the 2011 regular session of the General~~
33 ~~Assembly, which may include provisions in 2011 Iowa Acts,~~
34 ~~Senate File 541, if enacted~~ 2011 Iowa Acts, ch. 133, section 3,
35 subsection 8, paragraph a. The department shall purchase the

LSB 5122SV (3) 84

-11-

rh/tm

11/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 mobile radios after conducting a competitive bidding process.
2 b. As a condition of this appropriation, all land mobile
3 radio communications equipment purchased by the department
4 of natural resources shall be compliant with the federal
5 communications commission's narrowbanding mandate and
6 shall provide the maximum amount of statewide coverage and
7 interoperability, throughout all phases of migration, to the
8 department of public safety's future statewide digital radio
9 network utilizing P-25 standards.

10 Sec. 16. 2011 Iowa Acts, chapter 133, section 1, subsection
11 3, paragraphs a and b, are amended to read as follows:

12 a. For the construction project and one-time furniture,
13 fixture, and equipment costs at Fort Madison:

14 FY 2011-2012.....	\$ 5,155,077
15 FY 2012-2013.....	\$ 18,269,124
16	<u>16,269,124</u>
17 FY 2013-2014.....	\$ 3,000,000

18 b. For the construction project and one-time furniture,
19 fixture, and equipment costs at the Iowa correctional facility
20 for women at Mitchellville:

21 FY 2011-2012.....	\$ 3,061,556
22 FY 2012-2013.....	\$ 5,391,062
23	<u>2,691,062</u>
24 FY 2013-2014.....	\$ 26,769,040
25	<u>29,469,040</u>

26 Sec. 17. 2011 Iowa Acts, chapter 133, section 1, subsection
27 10, paragraphs c through f, are amended to read as follows:

28 c. For projects for immediate fire safety needs and for
29 compliance with the federal Americans with Disabilities Act, at
30 the regents institutions:

31 FY 2011-2012.....	\$ 2,000,000
32 FY 2012-2013.....	\$ 2,000,000

33 Of the amounts appropriated in this lettered paragraph,
34 up to \$2,000,000 may be used to fund deductibles on property
35 insurance and to provide the necessary match for funds which

LSB 5122SV (3) 84

-12-

rh/tm

12/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 may be available from the federal emergency management agency
2 for the cleanup, repair, and restoration of facilities at
3 the state school for the deaf and the Iowa braille and sight
4 saving school due to storm damage in the calendar year 2011,
5 notwithstanding section 8.57, subsection 6, paragraph "c".

6 d. For construction, renovation, and related improvements
7 for phase II of the agricultural and biosystems engineering
8 complex, including classrooms, laboratories, and offices at
9 Iowa state university of science and technology:

10 FY 2011-2012.....	\$ 1,000,000
11 FY 2012-2013.....	\$ 20,800,000
12	<u>19,050,000</u>
13 FY 2013-2014.....	\$ 20,000,000
14	<u>21,750,000</u>

15 FY 2014-2015.....	\$ 18,600,000
----------------------	---------------

16 e. For the renovation and related improvements to the dental
17 science building at the state university of Iowa including but
18 not limited to renovation of clinical spaces and development of
19 a multidisciplinary clinical area:

20 FY 2011-2012.....	\$ 1,000,000
21 FY 2012-2013.....	\$ 12,000,000
22	<u>10,250,000</u>
23 FY 2013-2014.....	\$ 8,000,000
24	<u>9,750,000</u>

25 FY 2014-2015.....	\$ 8,000,000
----------------------	--------------

26 f. For renovation and related improvements for Bartlett
27 hall at the university of northern Iowa including providing
28 faculty offices, seminar rooms, and laboratories in the
29 building and the associated demolition of Baker hall:

30 FY 2011-2012.....	\$ 1,000,000
31 FY 2012-2013.....	\$ 8,286,000
32	<u>7,786,000</u>
33 FY 2013-2014.....	\$ 9,767,000
34	<u>10,267,000</u>
35 FY 2014-2015.....	\$ 1,947,000

LSB 5122SV (3) 84

-13-

rh/tm

13/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 Sec. 18. 2011 Iowa Acts, chapter 133, section 1, subsection
2 13, paragraph b, is amended to read as follows:

3 b. For the Iowa veterans home to upgrade generator emissions
4 controls to meet required stack emissions for four generators
5 and ~~related improvements~~ for the construction of a building
6 that secures vehicles during nonuse and inclement weather:

7 FY 2011-2012..... \$ 250,000

8 Sec. 19. 2011 Iowa Acts, chapter 133, section 3, subsection
9 4, is amended to read as follows:

10 4. DEPARTMENT OF HUMAN RIGHTS

11 For the cost of equipment and computer software for the
12 implementation of Iowa's criminal justice information system
13 and for salaries and administrative support, notwithstanding
14 section 8.57C, subsection 2:

15 FY 2011-2012..... \$ 1,689,307

16 Sec. 20. 2011 Iowa Acts, chapter 133, section 3, subsection
17 5, paragraph a, is amended to read as follows:

18 a. To be used for medical contracts under the medical
19 assistance program for technology upgrades necessary to support
20 Medicaid claims and other health operations, worldwide HIPAA
21 claims transactions and coding requirements, and the Iowa
22 automated benefits calculation system:

23 FY 2011-2012..... \$ 3,494,176

24 FY 2012-2013..... \$ ~~4,667,600~~

25 4,167,600

26 FY 2013-2014..... \$ ~~4,267,600~~

27 4,767,600

28 FY 2014-2015..... \$ 1,945,684

29 Sec. 21. 2011 Iowa Acts, chapter 133, section 3, subsection
30 8, is amended to read as follows:

31 8. DEPARTMENT OF PUBLIC SAFETY

32 a. For the provision of a statewide public safety radio
33 network and the purchase of compatible radio communications
34 equipment with the goal of achieving compliance with the
35 federal communications commission's narrowbanding mandate

LSB 5122SV (3) 84

-14-

rh/tm

14/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 deadline, and for achieving "interoperability", as defined in
2 section 80.28:

3 FY 2011-2012.....	\$ 2,500,000
4 FY 2012-2013.....	\$ 2,500,000
5 FY 2013-2014.....	\$ 2,500,000

6 Of the amounts appropriated in this lettered paragraph, the
7 department of public safety may enter into a public-private
8 partnership, through a competitive bidding process, for
9 the provision of the statewide network and the purchase of
10 compatible equipment.

11 As a condition of this appropriation, all land mobile radio
12 communications equipment purchased by the department of public
13 safety shall be compliant with the federal communications
14 commission's narrowbanding mandate and shall provide the
15 maximum amount of statewide coverage and interoperability,
16 throughout all phases of migration, to the department of public
17 safety's future statewide digital radio network utilizing P-25
18 standards.

19 On or before January 13, 2012, the department of public
20 safety shall provide a report to the legislative services
21 agency and the department of management. The report shall
22 detail the status of the funds appropriated in this subsection
23 and shall include the estimated needs of the departments of
24 public safety, corrections, and natural resources to achieve
25 interoperability and to meet the federal narrowbanding mandate,
26 any changes in estimated costs to meet those needs, and the
27 status of requests for proposals to develop a public-private
28 partnership.

29 b. For transfer to a firefighter association in a county
30 with a population between ninety thousand and ninety-five
31 thousand as determined by the 2010 federal decennial census
32 for a ~~driving simulator to enhance the association's emergency~~
33 ~~vehicle operations course~~ firearms training simulator:

34 FY 2011-2012.....	\$ 80,000
----------------------	-----------

35 Sec. 22. 2011 Iowa Acts, chapter 133, section 5, subsection

LSB 5122SV (3) 84

-15-

rh/tm

15/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 1, is amended to read as follows:

2 1. DEPARTMENT OF CORRECTIONS

3 For the construction project and one-time furniture,
4 fixture, and equipment costs at the Iowa correctional facility
5 for women at Mitchellville:

6 \$ 4,430,952

7 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this
8 Act, being deemed of immediate importance, takes effect upon
9 enactment.

10 DIVISION VIII

11 MISCELLANEOUS CODE CHANGES

12 Sec. 24. Section 8.57A, subsection 4, paragraph c, Code
13 Supplement 2011, is amended to read as follows:

14 c. There is appropriated from the rebuild Iowa
15 infrastructure fund for the fiscal year beginning July 1, 2012,
16 and ending June 30, 2013, the sum of ~~thirty-five~~ thirty-three
17 million dollars to the environment first fund, notwithstanding
18 section 8.57, subsection 6, paragraph "c".

19 Sec. 25. Section 8.57C, subsection 3, paragraph a, Code
20 Supplement 2011, is amended to read as follows:

21 a. There is appropriated from the general fund of the state
22 for the fiscal year beginning July 1, ~~2012~~ 2013, and for each
23 subsequent fiscal year thereafter, the sum of seventeen million
24 five hundred thousand dollars to the technology reinvestment
25 fund.

26 Sec. 26. Section 8.57C, subsection 3, Code Supplement 2011,
27 is amended by adding the following new paragraph:

28 NEW PARAGRAPH. e. There is appropriated from the rebuild
29 Iowa infrastructure fund for the fiscal year beginning July
30 1, 2012, and ending June 30, 2013, the sum of fifteen million
31 dollars to the technology reinvestment fund, notwithstanding
32 section 8.57, subsection 6, paragraph "c".

33 Sec. 27. Section 15F.204, subsection 8, paragraph g, Code
34 Supplement 2011, is amended to read as follows:

35 g. For the each fiscal year for the fiscal period beginning

LSB 5122SV (3) 84

-16-

rh/tm

16/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 July 1, 2012, and ending June 30, ~~2013~~ 2018, the sum of five
2 million dollars.

3 Sec. 28. Section 16.181A, subsection 1, Code 2011, is
4 amended by striking the subsection.

5 Sec. 29. Section 428A.8, subsection 2, paragraphs d, e, and
6 f, Code 2011, are amended to read as follows:

7 *d.* For the fiscal year beginning July 1, 2012, ~~seventy-five~~
8 fifty-two and one-half percent of the receipts shall be
9 deposited in the general fund, ~~twenty~~ forty-two and one-half
10 percent of the receipts shall be transferred to the housing
11 trust fund, and five percent of the receipts shall be
12 transferred to the shelter assistance fund.

13 *e.* For the fiscal year beginning July 1, 2013, ~~seventy~~
14 forty-seven and one-half percent of the receipts shall be
15 deposited in the general fund, ~~twenty-five~~ forty-seven and
16 one-half percent of the receipts shall be transferred to the
17 housing trust fund, and five percent of the receipts shall be
18 transferred to the shelter assistance fund.

19 *f.* For the fiscal year beginning July 1, 2014, and each
20 succeeding fiscal year, ~~sixty-five~~ forty-two and one-half
21 percent of the receipts shall be deposited in the general fund,
22 ~~thirty~~ fifty-two and one-half percent of the receipts shall be
23 transferred to the housing trust fund, and five percent of the
24 receipts shall be transferred to the shelter assistance fund.

25 Sec. 30. Section 428A.8, subsection 3, Code 2011, is amended
26 to read as follows:

27 3. Notwithstanding subsection 2, the amount of money that
28 shall be transferred pursuant to this section to the housing
29 trust fund in any one fiscal year shall not exceed ~~three~~ six
30 million dollars. Any money that otherwise would be transferred
31 pursuant to this section to the housing trust fund in excess
32 of that amount shall be deposited in the general fund of the
33 state.

34 EXPLANATION

35 This bill relates to and makes appropriations to state

LSB 5122SV (3) 84

-17-

rh/tm

17/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 departments and agencies from the rebuild Iowa infrastructure
2 fund, the technology reinvestment fund, the FY 2009 prison
3 bonding fund, and the endowment for Iowa's health restricted
4 capitals fund account, provides for related matters, and
5 includes an effective date provision. The bill is organized
6 by divisions.

7 REBUILD IOWA INFRASTRUCTURE FUND. This division
8 appropriates project funding from the rebuild Iowa
9 infrastructure fund, including projects for FY 2012-2013
10 for the departments of agriculture and land stewardship,
11 corrections, cultural affairs, economic development authority,
12 human services, natural resources, public defense, and
13 transportation, and for the Iowa telecommunications and
14 technology commission, the state fair authority, treasurer of
15 state, and the board of regents, and for FY 2013-2014 for the
16 departments of corrections and natural resources, and for the
17 state fair authority and the board of regents.

18 TECHNOLOGY REINVESTMENT FUND. This division appropriates
19 project funding for FY 2012-2013 from the technology
20 reinvestment fund, including projects for the departments of
21 corrections, education, human rights, and management, and for
22 the Iowa telecommunications and technology commission, and
23 board of regents.

24 FY 2009 PRISON BONDING FUND. This division appropriates
25 project funding for FY 2012-2013 from the FY 2009 prison
26 bonding fund for the department of corrections.

27 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND
28 ACCOUNT. This division appropriates project funding for FY
29 2012-2013 from the endowment for Iowa's health restricted
30 capitals fund account for the department of corrections.

31 ECONOMIC DEVELOPMENT AUTHORITY — CONTINGENT APPROPRIATION.
32 This division appropriates project funding for FY 2013-2014
33 from the rebuild Iowa infrastructure fund to the economic
34 development authority for the Des Moines area regional transit
35 authority if the authority receives local funds as well as a

LSB 5122SV (3) 84

-18-

rh/tm

18/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 federal grant, by December 31, 2013, in an amount sufficient
2 to complete the project.

3 DEPARTMENT OF TRANSPORTATION — RADIOS. This division
4 requires all land mobile radio communications equipment
5 purchased by the department of transportation to be compliant
6 with the federal communication commission's narrowbanding
7 mandate and to provide the maximum amount of statewide coverage
8 and interoperability, throughout all phases of migration, to
9 the department of public safety's future statewide digital
10 radio network utilizing P-25 standards.

11 This division takes effect upon enactment and applies
12 retroactively to July 1, 2011.

13 CHANGES TO PRIOR APPROPRIATIONS. This division makes
14 changes to prior appropriations from the endowment for Iowa's
15 health restricted capitals fund account for FY 2008-2009 to the
16 department of public safety. The division makes changes to
17 prior appropriations from the state fish and game protection
18 fund for FY 2010-2011 to the department of natural resources.

19 The division makes changes to prior appropriations from
20 the rebuild Iowa infrastructure fund for FY 2011-2012 to the
21 department of veterans affairs and for the board of regents,
22 for FY 2012-2013 to the department of corrections and board of
23 regents, and for FY 2013-2014 and 2013-2014 to the department
24 of corrections and board of regents.

25 The division makes changes to prior appropriations from the
26 technology reinvestment fund for FY 2011-2012 to the department
27 of human rights and public safety and for FY 2012-2013 and FY
28 2013-2014 to the department of human services.

29 The division makes changes to prior appropriations from the
30 revenue bonds capitals fund for FY 2011-2012 to the department
31 of corrections.

32 The division takes effect upon enactment.

33 MISCELLANEOUS CODE CHANGES. This division reduces the
34 standing appropriation from the rebuild Iowa infrastructure
35 fund for FY 2012-2013 to the environment first fund from \$35

LSB 5122SV (3) 84

-19-

rh/tm

19/20



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. 2316

1 million to \$33 million.

2 The division provides a standing general fund appropriation
3 of \$17.5 million to the technology reinvestment fund beginning
4 in FY 2013-2014.

5 The division appropriates \$15 million from the rebuild Iowa
6 infrastructure fund to the technology reinvestment fund for FY
7 2012-2013.

8 The division extends the standing \$5 million appropriation
9 from the rebuild Iowa infrastructure fund to the community
10 attraction and tourism fund due to sunset at the end of FY
11 2012-2013 through FY 2017-2018.

12 The division repeals the \$3 million standing appropriation
13 from the rebuild Iowa infrastructure fund to the Iowa finance
14 authority for deposit into the housing trust fund.

15 The division makes changes to the allocation of receipts
16 from the real estate transfer tax for deposit into the general
17 fund or for transfer into the housing trust fund for FY
18 2012-2013, FY 2013-2014, and FY 2014-2015.

19 The division increases the amount of money transferred to
20 the housing trust fund from real estate transfer tax receipts
21 in any one fiscal year from \$3 million to \$6 million.



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012**

Senate Resolution 115 - Introduced

SENATE RESOLUTION NO. 115

BY QUIIRMBACH, BOETTGER, and MATHIS

1 A Resolution to recognize March 2012 as Iowa Women's
2 History Month.

3 WHEREAS, Iowa women of every race, class, and
4 ethnic background have made historic contributions
5 to the growth and strength of our state and nation
6 in countless recorded and unrecorded ways, including
7 through the struggle for women's rights; and

8 WHEREAS, Iowa women have played and continue to
9 play a critical economic, cultural, and social role by
10 constituting a significant portion of the labor force
11 working inside and outside of the home, despite being
12 underpaid; and

13 WHEREAS, Iowa women were particularly important in
14 the establishment of early charitable, philanthropic,
15 and cultural institutions in our state and nation; and

16 WHEREAS, Iowa women and men amended Article I,
17 section 1, of the Constitution of Iowa to read that
18 "All men and women are, by nature, free and equal, and
19 have certain inalienable rights"; and

20 WHEREAS, Iowa women have been leaders in business,
21 industry, agriculture, nonprofit organizations, and
22 academia, as well as the abolitionist movement, the
23 emancipation movement, the labor movement, the civil
24 rights movement, the peace movement, and the women's
25 suffrage movement, which have created a fairer and more
26 just society for all; and

27 WHEREAS, despite these contributions, and those
28 of women throughout the world, the role of women

LSB 6092SS (4) 84

-1- jr/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.R. 115

1 has been consistently overlooked and undervalued in
2 the literature, teaching, and study of history; NOW
3 THEREFORE,

4 BE IT RESOLVED BY THE SENATE, That the Senate
5 recognizes the month of March 2012 as Iowa Women's
6 History Month and invites the citizens of Iowa to
7 continue to uncover the roles women have played
8 throughout history.

LSB 6092SS (4) 84

-2-

jr/rj

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

Senate Study Bill 3192 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act making the research activities tax credits nonrefundable
2 and including effective date and applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6089XC (4) 84
mm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. _____

1 Section 1. Section 15.335, subsection 8, Code Supplement
2 2011, is amended by striking the subsection and inserting in
3 lieu thereof the following:

4 8. Any credit in excess of the tax liability is not
5 refundable but the excess for the tax year may be credited to
6 the tax liability for the following seven tax years or until
7 depleted, whichever is the earlier.

8 Sec. 2. Section 15.335, subsection 9, Code Supplement 2011,
9 is amended to read as follows:

10 9. The department of revenue shall by February 15 of
11 each year issue an annual report to the general assembly
12 containing the total amount of all claims made by employers
13 under this section, ~~and the portion of the claims issued as~~
14 refunds, and the portion of the claims available to claimants
15 for carryforward into future years, for all claims processed
16 during the previous calendar year. The report shall contain
17 the name of each claimant for whom a tax credit in excess of
18 five hundred thousand dollars was issued and the amount of the
19 credit received.

20 Sec. 3. Section 15A.9, subsection 8, paragraph d, Code
21 Supplement 2011, is amended by striking the paragraph and
22 inserting in lieu thereof the following:

23 d. Any credit in excess of the tax liability is not
24 refundable but the excess for the tax year may be credited to
25 the tax liability for the following seven tax years or until
26 depleted, whichever is the earlier.

27 Sec. 4. Section 422.10, subsection 4, Code Supplement 2011,
28 is amended by striking the subsection and inserting in lieu
29 thereof the following:

30 4. Any credit in excess of the tax liability is not
31 refundable but the excess for the tax year may be credited to
32 the tax liability for the following seven tax years or until
33 depleted, whichever is the earlier.

34 Sec. 5. Section 422.10, subsection 6, Code Supplement 2011,
35 is amended to read as follows:

LSB 6089XC (4) 84

-1-

mm/sc

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. _____

1 6. The department shall by February 15 of each year issue
2 an annual report to the general assembly containing the total
3 amount of all claims made by employers under this section, and
4 the portion of the claims issued as refunds, and the portion of
5 the claims available to claimants for carryforward into future
6 years, for all claims processed during the previous calendar
7 year. The report shall contain the name of each claimant for
8 whom a tax credit in excess of five hundred thousand dollars
9 was issued and the amount of the credit received.

10 Sec. 6. Section 422.33, subsection 5, paragraph e, Code
11 Supplement 2011, is amended by striking the paragraph and
12 inserting in lieu thereof the following:

13 e. Any credit in excess of the tax liability is not
14 refundable but the excess for the tax year may be credited to
15 the tax liability for the following seven tax years or until
16 depleted, whichever is the earlier.

17 Sec. 7. Section 422.33, subsection 5, paragraph h, Code
18 Supplement 2011, is amended to read as follows:

19 h. The department shall by February 15 of each year issue
20 an annual report to the general assembly containing the total
21 amount of all claims made by employers under this subsection,
22 and the portion of the claims issued as refunds, and the
23 portion of the claims available to claimants for carryforward
24 into future years, for all claims processed during the previous
25 calendar year. The report shall contain the name of each
26 claimant for whom a tax credit in excess of five hundred
27 thousand dollars was issued and the amount of the credit
28 received.

29 Sec. 8. EFFECTIVE DATE. This Act takes effect on January
30 1, 2013.

31 Sec. 9. APPLICABILITY. This Act applies to tax years
32 beginning on or after January 1, 2013.

33 EXPLANATION

34 This bill relates to the research activities credits for
35 the individual and corporate income tax, and the research



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 07, 2012

S.F. _____

1 activities credits awarded by the economic development
2 authority. Under current law, all research activities credits
3 are refundable. The bill amends the credits to make them
4 nonrefundable and eligible for carryforward for seven years.
5 The bill also requires that the department include data on
6 credits available to claimants for carryforward into future
7 years in its annual report to the general assembly.
8 The bill takes effect on January 1, 2013, and applies to tax
9 years beginning on or after that date.